

HOUSE JOURNAL

PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

REGULAR 2012 SESSION

JANUARY 9, 2012 THROUGH ADJOURNMENT JUNE 1, 2012

SUSAN W. KANNARR, *Chief Clerk of the House*

DIVISION OF PRINTING
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TOPEKA, KANSAS
2012

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Governor

SAM BROWNBACK, Topeka

Lieutenant Governor

JEFF COLYER, Overland Park

OFFICERS OF THE HOUSE

Session of 2012

Michael “Mike” 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

HOUSE OF REPRESENTATIVES—2012 MEMBERS LISTED ALPHABETICALLY

<i>Name</i>	<i>Party</i>	<i>Dist.</i>	<i>Occupation</i>
Alford, Steve, Grant	Rep.	124	Farmer
Arpke, Tom, Saline	Rep.	69	Travel Agent
Aurand, Clay, Republic	Rep.	109	Farmer / Stockman
Ballard, Barbara, Douglas	Dem.	44	University Administrator
*Bethell, Bob, Rice	Rep.	113	Pastor / Consultant
Billinger, Rick, Sherman	Rep.	121	Ret. Businessman/Farmer
Bollier, Barbara, Johnson	Rep.	25	Retired Physician
Boman, Benny, Sedgwick	Rep.	95	Retired
Bowers, Elaine, Cloud	Rep.	107	Business Owner
Brookens, Bob, Marion	Rep.	70	Attorney
Brown, Anthony, Douglas	Rep.	38	Carpenter
Bruchman, Rob, Johnson	Rep.	20	Attorney
Brunk, Steve, Sedgwick	Rep.	85	Real Estate & Business Broker
Burgess, Mike, Shawnee	Rep.	51	Web Developer
Burroughs, Tom, Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Calloway, Terry, Crawford	Rep.	3	Computer Engineer
Carlin, Sydney, Riley	Dem.	66	Self-Employed
Carlson, Richard, Pottawatomie	Rep.	61	Businessman
Cassidy, Ward, Cheyenne	Rep.	120	Educator
Collins, Dan, Rooks	Rep.	110	Retired Farmer/Rancher
Colloton, Pat, Johnson	Rep.	28	Attorney
Crum, Dave, Butler	Rep.	77	Optometrist
Davis, Paul, Douglas	Dem.	46	Attorney
DeGraaf, Pete, Sumner	Rep.	81	Dir., Financial Consulting
Denning, Jim, Johnson	Rep.	19	Health Care Administrator
Dillmore, Nile, Sedgwick	Dem.	92	Development Specialist
Donohoe, Owen, Johnson	Rep.	39	Medical Sales
Fawcett, James, Geary	Rep.	65	Businessman
Feuerborn, Bill, Anderson	Dem.	5	Self-Employed
Finney, Gail, Sedgwick	Dem.	84	Small Business Owner
Flaharty, Geraldine, Sedgwick	Dem.	98	Retired Teacher
Frownfelter, Stan, Wyandotte	Dem.	31	Small Business Owner
Garber, Randy, Nemaha	Rep.	62	Ret. Navy/Const. Worker
Gatewood, Sean, Shawnee	Dem.	57	
Gatewood, Doug, Cherokee	Dem.	1	Property Services
Goico, Mario, Sedgwick	Rep.	100	Business Owner
Gonzalez, Ramon, Jefferson	Rep.	47	Retired
Goodman, Jana, Leavenworth	Rep.	41	
Gordon, Lana, Shawnee	Rep.	52	Customer Service Rep
Grange, John, Butler	Rep.	75	Mechanical Contractor
Grant, Bob, Crawford	Dem.	2	Catering Business
Gregory, TerriLois, Douglas	Rep.	10	
Grosserode, Amanda, Johnson	Rep.	16	
Hayzlett, Gary, Kearny	Rep.	122	Businessman
Hedke, Dennis, Sedgwick	Rep.	99	Consulting Geophysicist
Henderson, Broderick, Wyandotte	Dem.	35	Parking Controller Office

Henry, Jerry , Atchison	Dem.	63	Achievement Services Dir.
Hermanson, Phil , Sedgwick	Rep.	96	Realtor/Property Mgmt.
Hildabrand, Brett , Johnson	Rep.	23	Freight Broker
Hill, Don , Lyon	Rep.	60	Pharmacist
Hineman, Don , Lane	Rep.	118	Farmer / Rancher
Hoffman, Kyle , Comanche	Rep.	116	Farmer/Rancher/Business owner
Holmes, Carl , Seward	Rep.	125	Land Owner / Manager
Holmes, Mitch , Stafford	Rep.	114	Computer Programmer
Howell, Jim , Sedgwick	Rep.	82	Experimental Test Instrumentation
Huebert, Steve , Sedgwick	Rep.	90	Systems Engineer
Johnson, Steven , Saline	Rep.	108	Farmer/Financial Svcs.
Kelley, Kasha , Cowley	Rep.	79	CEO; Customer Care Co.
Kelly, Jim , Montgomery	Rep.	12	Banker
Kerschen, Dan , Sedgwick	Rep.	93	Dairy Farmer
Kiegerl, Mike , Johnson	Rep.	43	Adjunct Professor, Ret.
Kinzer, Lance , Johnson	Rep.	14	Attorney
Kleeb, Marvin , Johnson	Rep.	48	Business Owner
Knox, Forrest , Wilson	Rep.	13	Stockman
Kuether, Annie , Shawnee	Dem.	55	
Landwehr, Brenda , Sedgwick	Rep.	91	Business Owner
Lane, Harold , Shawnee	Dem.	58	Owner; Lane's BBQ
LeDoux, Trent , Jackson	Rep.	50	Rancher
Loganbill, Judith , Sedgwick	Dem.	86	Reading Resources Teacher
Mah, Ann , Shawnee	Dem.	53	Trainer / Speaker
Mast, Peggy , Lyon	Rep.	76	Office Manager
McCray-Miller, Melody , Sedgwick	Dem.	89	Business Owner
McLeland, Joe , Sedgwick	Rep.	94	Retired
Meier, Melanie , Leavenworth	Dem.	40	Defense Contractor
Meigs, Kelly , Johnson	Rep.	17	Homemaker
Mesa, Reynaldo , Finney	Rep.	123	Gov't-Public Affairs, Cox Communications
Montgomery, Robert , Johnson	Rep.	26	Real Estates Services
Moxley, Tom , Morris	Rep.	68	Farmer / Rancher
O'Brien, Connie , Leavenworth	Rep.	42	Retired
O'Hara, Charlotte , Johnson	Rep.	27	Investor
O'Neal, Mike , Reno	Rep.	104	Attorney
Osterman, Leslie , Sedgwick	Rep.	97	Retired
Otto, Bill , Coffey	Rep.	9	Retired Teacher
Patton, Joe , Shawnee	Rep.	54	Attorney
Pauls, Janice , Reno	Dem.	102	Attorney
Peck, Virgil , Montgomery	Rep.	11	Insurance Agent
Peterson, Mike , Wyandotte	Dem.	37	Attorney
Phelps, Eber , Ellis	Dem.	111	Sales / Marketing
+Phillips, Tom , Riley	Rep.	67	Consultant
Pottorff, Jo Ann , Sedgwick	Rep.	83	Real Estate
Powell, Larry , Finney	Rep.	11	Rancher/ Environmentalist
Prescott, Willie , Osage	Rep.	59	Farmer
Proehl, Richard , Labette	Rep.	7	Banker
Rhoades, Marc , Harvey	Rep.	72	College Instructor

MEMBERS LISTED ALPHABETICALLY

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Roth, Charles , Saline	Rep.	71	Retired Retailer
Rubin, John , Johnson	Rep.	18	Attorney
Ruiz, Louis , Wyandotte	Dem.	32	Retired; Lucent
Ryckman, Ronald , Meade	Rep.	115	Retired Teacher
Scapa, Joseph , Sedgwick	Rep.	87	Realtor
Schroeder, Don , McPherson	Rep.	74	Retired Farmer; Teacher
Schwab, Scott , Johnson	Rep.	49	Healthcare Sales
Schwartz, Sharon , Washington	Rep.	106	Business Manager
Seiwert, Joe , Reno	Rep.	101	Agricultural Business
Shultz, Clark , McPherson	Rep.	73	Auditor
Siegreid, Arlen , Johnson	Rep.	15	Retired
Slattery, Mike , Johnson	Dem.	24	Project Management
Sloan, Tom , Douglas	Rep.	45	Strategic Planner
Smith, Greg , Johnson	Rep.	22	Public School Teacher
Spalding, Sheryl , Johnson	Rep.	29	Ret. Education Researcher
Suellentrop, Gene , Sedgwick	Rep.	105	Business Owner
Swanson, Vern , Clay	Rep.	64	Retired Sales
Tietze, Annie , Shawnee	Dem.	56	Teacher
Trimmer, Ed , Cowley	Dem.	78	Retired Teacher
Tyson, Caryn , Linn	Rep.	4	Software Engineer/ Systems Analyst
Vickrey, Jene , Miami	Rep.	6	Floor Covering
Victors, Ponka-We , Sedgwick	Dem.	103	Community Support Worker
Ward, Jim , Sedgwick	Dem.	88	Attorney
Weber, Brian , Ford	Rep.	119	Small Business Co-Owner
Wetta, Vince , Sumner	Dem.	80	Ret. Railroad Engineer
Williams, Jerry , Neosho	Dem.	8	Retired
Winn, Valdenia , Wyandotte	Dem.	34	College Professor
Wolf, Kay , Johnson	Rep.	21	Business Owner
Wolf, Bill , Barton	Rep.	112	Retired
Wolfe Moore, Kathy , Wyandotte	Dem.	36	Business Dir./KU Hosp.
Worley, Ron , Johnson	Rep.	30	City of Lenexa, Retired

***Lorene Bethell** sworn June 1, 2012 to replace **Bob Bethell**, deceased

+ **Tom Phillips** sworn February 2, 2012 to replace **Susan Mosier**, resigned

**STANDING COMMITTEES OF THE HOUSE
LEGISLATIVE SESSION, 2012***

Aging and Long-term Care: B. Bethell, Chairperson; Worley, Vice-chairperson; Gonzalez, Hill, Kelly, LeDoux, Otto, Phillips, Schwab, K. Wolf.
Flaharty, Ranking Minority Member; Henderson, Wolfe Moore.

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

Appropriations: Rhoades, Chairperson; Kelley, Vice-chairperson; Brown, Carlson, Cassidy, Crum, DeGraaf, Denning, 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, Hedke, Kerschen, Kleeb, Mesa, Osterman, Peck, Scapa, Schwab, Tyson.
Slattery, Ranking Minority Member; Finney, Frownfelter, Ruiz, Tietze.

Corrections and Juvenile Justice: Colloton, Chairperson; Kinzer, Vice-chairperson; Brookens, Cassidy, Goodman, Kelly, Moxley, Roth, Smith, K. Wolf.
McCray-Miller, Ranking Minority Member; Meier, Pauls.

Education: Aurand, Chairperson; Huebert, Vice-chairperson; Billinger, Bollier, Calloway, Colloton, Donohoe, Goodman, Grosserode, Howell, Osterman, Ryckman, Scapa, Spalding.
Ward, Ranking Minority Member; Loganbill, Phelps, Trimmer, Winn.

Elections: Schwab, Chairperson; Goico, Vice-chairperson; Garber, Gonzalez, Gregory, Meigs, Montgomery, O'Brien, Otto, Rubin.
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, Goico, Gregory, Grosserode, M. Holmes, Howell, 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, Johnson, Montgomery, O'Hara, Scapa, Shultz.
Grant, Ranking Minority Member; Burroughs, Henderson.

Government Efficiency: Burgess, Chairperson; DeGraaf, Vice-chairperson; Grange, Hoffman, Howell, Meigs, Osterman, Phillips, Roth, K. Wolf.
Trimmer, Ranking Minority Member; Loganbill, Ruiz.

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

Insurance: Shultz, Chairperson; Hermanson, Vice-chairperson; Billinger, Brown, Fawcett, Gregory, Johnson, Montgomery, O'Hara, Proehl.
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, Hildabrand, M. Holmes, Kelly, Rubin, Ryckman, Smith, Suellentrop.
Pauls, Ranking Minority Member; Kuether, Meier, Tietze, Victors, Ward.

Legislative Budget (House): Rhoades, Chairperson; Kelley, Vice-chairperson; Mast, O'Neal, Siegfried, Vickrey.
Davis, Ranking Minority Member; Burroughs.

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

Pensions and Benefits: M. Holmes, Chairperson; Grange, Vice-chairperson; Hill, Johnson, Kelly, Roth, Worley.
Ruiz, Ranking Minority Member; Flaharty.

Redistricting: O'Neal, Chairperson; Aurand, Vice-chairperson; Brown, Brunk, Carlson, Kinzer, Knox, Landwehr, Mast, Patton, Powell, Schroeder, Schwab, Schwartz, Suellentrop, Tyson, Weber.
Davis, Ranking Minority Member; Grant, Kuether, Pauls, Peterson, Ward.

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

Taxation: Carlson, Chairperson; Kleeb, Vice-chairperson; Brunk, Calloway, Denning, Donohoe, Goico, Hayzlett, Hedke, 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, Montgomery, Pottorff, Proehl, Spalding, Swanson, B. Wolf, Worley.
Wetta, Ranking Minority Member; Grant, Williams, Henry, Phelps.

Veterans, Military and Homeland Security: Goico, Chairperson; O'Brien, Vice-chairperson; Boman, Fawcett, Garber, Grange, Hedke, M. Holmes, Johnson, Montgomery.
Meier, Ranking Minority Member; Mah, Tietze.

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

Budget Committees

Agriculture and 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; Gonzalez, Hineman, Hoffman, LeDoux, Ryckman.
Burroughs, Ranking Minority Member; Dillmore.

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

Transportation and Public Safety Budget: Peck, Chairperson; Pottorff, Vice-chairperson; B. Bethell, Gonzalez, Kerschen, Mesa, Moxley.
D. Gatewood, Ranking Minority Member; Wetta.

JOINT COMMITTEES

Joint Committee on Administrative Rules and Regulations: C. Holmes, Vice-chairperson; Huebert, Patton, Pauls, Trimmer, Tyson, Winn.
Senate members: V. Schmidt, Chairperson; Faust-Goudeau, Ostmeyer, Owens, A. Schmidt.

Joint Committee on Arts and Cultural Resources: Gordon, Vice-chairperson; Carlin, Rubin, Spalding, Swanson.
Senate members: Schodorf, Chairperson; Faust-Goudeau, Francisco, Lynn, Umbarger.

Joint Committee on Children's Issues: Kiegerl, Vice-chairperson; DeGraaf, S. Gatewood, Gregory, McCray-Miller.
Senate members: Lynn, Chairperson; Faust-Goudeau, Haley, Pyle, Reitz.

Joint Committee on Corrections and Juvenile Justice Oversight: Colloton, Vice-chairperson; Denning, D. Gatewood, Goodman, Henry, Peck, Ward.
Senate members: Brungardt, Chairperson; Bruce, Haley, Kelsey, Kultala, Longbine, Owens.

Joint Committee on Economic Development: Brown, Vice-chairperson; Garber, Kerschen, Schwab, Slattery, Suellentrop, Tietze, Winn.
Senate members: Wagle, Chairperson; Faust-Goudeau, Kelly, Lynn, Marshall.

Joint Committee on Energy and Environmental Policy: C. Holmes, Chairperson; M. Holmes, Knox, Kuether, Sloan, Wetta.
Senate members: McGinn, Vice-chairperson; Francisco, Ostmeyer, Petersen, Taddiken.

Joint Committee on Heath Policy Oversight: Landwehr, Chairperson; Hill, Mast, Meigs,

Ruiz, Ward.

Senate members: V. Schmidt, Vice-chairperson; Brungardt, Haley, Kelly, Reitz, Teichman.

Joint Committee on Home and Community Based Services: B. Bethell, Chairperson; Ballard, Crum, Henry, Landwehr.

Senate members: McGinn, Vice-chairperson; Kelly, Kultala, Umbarger.

Joint Committee on Information Technology: Burgess, Vice-chairperson; Calloway, Dillmore, Lane, McLeland.

Senate members: Petersen, Chairperson; Francisco, Holland, Love, V. Schmidt.

Joint Committee on Kansas Security: Goico, Vice-chairperson; Frownfelter, Loganbill, Mast, O'Brien.

Senate members: Emler, Chairperson; Hensley, McGinn, Owens, A. Schmidt.

Legislative Budget Committee: Rhoades, Chairperson; Denning, Feuerborn, Kelley.

Senate members: McGinn, Vice-chairperson; Kelly, Vratil.

Legislative Coordinating Council: O'Neal, Chairperson; Davis, Siegfried, Vickrey.

Senate members: Morris, Vice-chairperson; Emler, Hensley.

Legislative Educational Planning Committee: Huebert, Vice-chairperson; Ballard, Colloton, Donohoe, Gordon, Phelps, Pottorff.

Senate members: Schodorf, Chairperson; Francisco, Huntington, Marshall, Teichman, Vratil.

Legislative Post Audit Committee: Mast, Vice-chairperson; Burroughs, Grange, Mah, Peck.

Senate members: Pilcher-Cook, Chairperson; Bruce, Hensley, Kelly, Umbarger.

Joint Committee on Pensions, Investments, and Benefits: Schwartz, Vice-chairperson; Carlson, Flaharty, M. Holmes, Johnson, Proehl, Ruiz, Williams.

Senate members: Morris, Chairperson; Emler, Hensley, Kelly, Teichman.

Joint Committee on Special Claims Against the State: Patton, Chairperson; Bruchman, Feuerborn, Grant, Hermanson, M. Holmes, Huebert, Smith.

Senate members: Owens, Vice-chairperson; Bruce, Kultala, Masterson, Pyle.

Joint Committee on State Building Construction: Pottorff, Vice-chairperson; Brunk, Feuerborn, Grant, K. Wolf.

Senate members: Umbarger, Chairperson; Francisco, Kelly, Longbine, McGinn.

Joint Committee on State -Tribal Relations: Knox, Chairperson; Burroughs, Hermanson, Kinzer, Victors.

Senate members: Brungardt, Vice-chairperson; Haley, Kultala, Pyle, Vratil.

* Does not reflect post-session committee membership changes.

HOUSE MEMBERSHIP INFORMATION 2012 SESSION*

DSOB is 7th Floor, Docking State Office Building
R.M. Member denotes Ranking Minority Member

Alford, Steve	Office DSOB	785-296-7696	
First Session: 2011	District: 124	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Arpke, Tom	Office DSOB	785-296-7643	
First Session: 2011	District: 69	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	Member	1:30 pm Daily	783 DSOB
Education Budget	Member	3:30 pm Daily	159-S
Aurand, Clay	Office 174-W	785-296-7672	
First Session: 1995	District: 109	Republican	
Education	Chair	9:00 am Daily	784 DSOB
Education Budget	Vice-Chair	3:30 pm Daily	159-S
Redistricting	Vice-Chair	On Call	On Call
Ballard, Barbara	Office 451-S	785-296-7697	
First Session: 1993	District: 44	Democrat	
Appropriations	Member	9:00 am Daily	346-S
Social Services Budget	Member	3:30PM Daily	711 DSOB
Calendar and Printing	Member	On Call	On Call
Home & Comm. Based Svcs. (Joint)	Member	On Call	On Call
Legislative Educational Planning Comm.	Member	On Call	On Call
Bethell, Bob	Office 55-S	785-296-7616	
First Session: 1999	District: 113	Republican	
Aging and Long-term Care	Chair	9:00 am Tue/Thu	144-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
Home & Comm. Based Svcs. (Joint)	Chair	On Call	On Call
Billinger, Rick	Office DSOB	785-296-7659	
First Session: 2011	District: 121	Republican	
Education	Member	9:00 am Daily	784 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Insurance	Member	3:30 pm Mon/Wed	152-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Bollier, Barbara	Office 168-W	785-296-7686	
First Session: 2010	District: 25	Republican	
Education	Member	9:00 am Daily	784 DSOB

COMMITTEE MEMBERSHIP

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Health and Human Services	Member	1:30 pm Daily	784 DSOB
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Boman, Benny	Office DSOB	785-296-7690	
First Session: 2011	District: 95	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	346-S
Bowers, Elaine	Office 54-S	785-296-7642	
First Session: 2007	District: 107	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Social Services Budget	Vice-Chair	3:30PM Daily	711 DSOB
Brookens, Bob	Office 54-S	785-296-7636	
First Session: 2009	District: 70	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Judiciary	Member	3:30 pm Daily	346-S
Brown, Anthony	Office 151-S	785-296-7679	
First Session: 2005	District: 38	Republican	
Appropriations	Member	9:00 am Daily	346-S
Commerce & Econ. Development	Chair	1:30 pm Daily	785 DSOB
Insurance	Member	3:30 pm Mon/Wed	152-S
Economic Development (Joint)	Vice-Chair	On Call	On Call
Redistricting	Member	On Call	On Call
Bruchman, Rob	Office DSOB	785-296-7644	
First Session: 2011	District: 20	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Spec. Claims Against the State (Joint)	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call
Brunk, Steve	Office 149-S	785-296-7645	
First Session: 2003	District: 85	Republican	
Children and Families	Member	9:00 am Tue/Thu	142-S
Federal and State Affairs	Chair	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	783 DSOB
State Building Construction (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call
Burgess, Mike	Office 151-S	785-296-7653	
First Session: 2003	District: 51	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Government Efficiency	Chair	3:30 pm Daily	546-S

Information Technology (Joint)	Vice-Chair	On Call	On Call
Burroughs, Tom	Office 359-W	785-296-7885	
First Session: 1997	District: 33	Democrat	
General Government Budget	*RM Member	1:30 pm Daily	159-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
State -Tribal Relations (Joint)	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call
Calloway, Terry	Office DSOB	785-296-7677	
First Session: 2011	District: 3	Republican	
Education	Member	9:00 am Daily	784 DSOB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Information Technology (Joint)	Member	On Call	On Call
Carlin, Sydney	Office 451-S	785-296-7657	
First Session: 2003	District: 66	Democrat	
Appropriations	Member	9:00 am Daily	346-S
Agriculture & Natural Resources Bdg.	*RM Member	1:30 pm Daily	142-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Arts and Cultural Resources (Joint)	Member	On Call	On Call
Carlson, Richard	Office 274-W	785-296-7660	
First Session: 2005	District: 61	Republican	
Appropriations	Member	9:00 am Daily	346-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Taxation	Chair	3:30 pm Daily	783 DSOB
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call
Cassidy, Ward	Office DSOB	785-296-7696	
First Session: 2011	District: 120	Republican	
Appropriations	Member	9:00 am Daily	346-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Education Budget	Member	3:30 pm Daily	159-S
Collins, Dan	Office DSOB	785-296-7699	
First Session: 2011	District: 110	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Agriculture & Natural Resources Bdg.	Member	1:30 pm Daily	142-S
Judiciary	Member	3:30 pm Daily	346-S
Colloton, Pat	Office 167-W	785-296-7631	
First Session: 2005	District: 28	Republican	
Education	Member	9:00 am Daily	784 DSOB
Corrections and Juvenile Justice	Chair	1:30 pm Daily	144-S

COMMITTEE MEMBERSHIP

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Judiciary	Member	3:30 pm Daily	346-S
Corr. & Juv. Justice Oversight (Joint)	Vice-Chair	On Call	On Call
Legislative Educational Planning Comm.	Member	On Call	On Call
Crum, Dave	Office 50-S	785-296-7639	
First Session: 2007	District: 77	Republican	
Appropriations	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Social Services Budget	Chair	3:30PM Daily	711 DSOB
Home & Comm. Based Svcs. (Joint)	Member	On Call	On Call
Davis, Paul	Office 359-W	785-296-7630	
First Session: 2003	District: 46	Democrat	
Insurance	Member	3:30 pm Mon/Wed	152-S
Calendar and Printing	*RM Member	On Call	On Call
Legislative Budget (House)	*RM Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Redistricting	*RM Member	On Call	On Call
DeGraaf, Pete	Office 459-W	785-296-7693	
First Session: 2009	District: 81	Republican	
Appropriations	Member	9:00 am Daily	346-S
General Government Budget	Vice-Chair	1:30 pm Daily	159-S
Government Efficiency	Vice-Chair	3:30 pm Daily	546-S
Children's Issues (Joint)	Member	On Call	On Call
Denning, Jim	Office DSOB	785-296-7665	
First Session: 2011	District: 19	Republican	
Appropriations	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Legislative Budget Committee	Member	On Call	On Call
Dillmore, Nile	Office 043-S	785-296-7698	
First Session: 2001	District: 92	Democrat	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
General Government Budget	Member	1:30 pm Daily	159-S
Taxation	*RM Member	3:30 pm Daily	783 DSOB
Information Technology (Joint)	Member	On Call	On Call
Donohoe, Owen	Office 173-W	785-296-7695	
First Session: 2007	District: 39	Republican	
Education	Member	9:00 am Daily	784 DSOB
Health and Human Services	Vice-Chair	1:30 pm Daily	784 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Legislative Educational Planning Comm.	Member	On Call	On Call

Fawcett, James	Office DSOB	785-296-6838	
First Session: 2011	District: 65	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Transportation	Member	1:30 pm Daily	783 DSOB
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Feuerborn, Bill	Office 47-S	785-296-7688	
First Session: 1994	District: 5	Democrat	
Appropriations	*RM Member	9:00 am Daily	346-S
Education Budget	Member	3:30 pm Daily	159-S
Spec. Claims Against the State (Joint)	Member	On Call	On Call
State Building Construction (Joint)	Member	On Call	On Call
Legislative Budget Committee	Member	On Call	On Call
Finney, Gail	Office DSOB	785-296-7668	
First Session: 2009	District: 84	Democrat	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Vision 2020	*RM Member	3:30 pm Mon/Wed	144-S
Flaharty, Geraldine	Office DSOB	785-296-7651	
First Session: 1995	District: 98	Democrat	
Aging and Long-term Care	*RM Member	9:00 am Tue/Thu	144-S
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Health and Human Services	*RM Member	1:30 pm Daily	784 DSOB
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Frownfelter, Stan	Office DSOB	785-296-7648	
First Session: 2007	District: 31	Democrat	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Kansas Security (Joint)	Member	On Call	On Call
Garber, Randy	Office DSOB	785-296-6014	
First Session: 2011	District: 62	Republican	
Elections	Member	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Economic Development (Joint)	Member	On Call	On Call
Gatewood, Sean	Office DSOB	785-296-7648	
First Session: 2009	District: 57	Democrat	
Children and Families	*RM Member	9:00 am Tue/Thu	142-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	783 DSOB

COMMITTEE MEMBERSHIP

Children's Issues (Joint)	Member	On Call	On Call
Gatewood, Doug	Office 43-S	785-296-7698	
First Session: 1999	District: 1	Democrat	
Appropriations	Member	9:00 am Daily	346-S
Transportation & Public Safety Bdgt.	*RM Member	3:30 pm Daily	142-S
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Goico, Mario	Office 268-W	785-296-7663	
First Session: 2003	District: 100	Republican	
Elections	Vice-Chair	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Chair	9:00 am Tue/Thu	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	783 DSOB
Kansas Security (Joint)	Vice-Chair	On Call	On Call
Gonzalez, Ramon	Office DSOB	785-296-7677	
First Session: 2011	District: 47	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Elections	Member	9:00 am Mon/Wed	546-S
General Government Budget	Member	1:30 pm Daily	159-S
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
Goodman, Jana	Office DSOB	785-296-6014	
First Session: 2011	District: 41	Republican	
Education	Member	9:00 am Daily	784 DSOB
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Social Services Budget	Member	3:30PM Daily	711 DSOB
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Gordon, Lana	Office 151-S	785-296-7652	
First Session: 2001	District: 52	Republican	
Appropriations	Member	9:00 am Daily	346-S
Education Budget	Chair	3:30 pm Daily	159-S
Arts and Cultural Resources (Joint)	Vice-Chair	On Call	On Call
Legislative Educational Planning Comm.	Member	On Call	On Call
Grange, John	Office 268-W	785-296-7655	
First Session: 2005	District: 75	Republican	
Pensions and Benefits	Vice-Chair	9:00 am Mon/Wed	142-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Transportation	Member	1:30 pm Daily	783 DSOB
Government Efficiency	Member	3:30 pm Daily	546-S
Legislative Post Audit Committee	Member	On Call	On Call
Grant, Bob	Office 451-S	785-296-7650	
First Session: 1991	District: 2	Democrat	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	Member	1:30 pm Daily	783 DSOB

Financial Institutions	*RM Member	3:30 pm Tue/Thu	152-S
Insurance	*RM Member	3:30 pm Mon/Wed	152-S
Spec. Claims Against the State (Joint)	Member	On Call	On Call
State Building Construction (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call
Gregory, TerriLois	Office DSOB	785-296-7646	
First Session: 2011	District: 10	Republican	
Children and Families	Member	9:00 am Tue/Thu	142-S
Elections	Member	9:00 am Mon/Wed	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Children's Issues (Joint)	Member	On Call	On Call
Grosserode, Amanda	Office DSOB	785-296-7659	
First Session: 2011	District: 16	Republican	
Education	Member	9:00 am Daily	784 DSOB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Hayzlett, Gary	Office 274-W	785-296-7640	
First Session: 1991	District: 122	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	Chair	1:30 pm Daily	783 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Hedke, Dennis	Office DSOB	785-296-7699	
First Session: 2011	District: 99	Republican	
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Henderson, Broderick	Office 451-S	785-296-7697	
First Session: 1995	District: 35	Democrat	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Henry, Jerry	Office 47-S	785-296-7688	
First Session: 1993	District: 63	Democrat	
Appropriations	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	783 DSOB
Social Services Budget	*RM Member	3:30PM Daily	711 DSOB
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Home & Comm. Based Svcs. (Joint)	Member	On Call	On Call

COMMITTEE MEMBERSHIP

Hermanson, Phil	Office 167-W	785-296-7500	
First Session: 2009	District: 96	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Vice-Chair	3:30 pm Mon/Wed	152-S
Spec. Claims Against the State (Joint)	Member	On Call	On Call
State -Tribal Relations (Joint)	Member	On Call	On Call
Hildabrand, Brett	Office DSOB	785-296-7699	
First Session: 2011	District: 23	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	Member	1:30 pm Daily	783 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Hill, Don	Office 561-W	785-296-7632	
First Session: 2003	District: 60	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Transportation	Member	1:30 pm Daily	783 DSOB
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Heath Policy Oversight (Joint)	Member	On Call	On Call
Hineman, Don	Office 54-S	785-296-7636	
First Session: 2009	District: 118	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
General Government Budget	Member	1:30 pm Daily	159-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Hoffman, Kyle	Office DSOB	785-296-7643	
First Session: 2011	District: 116	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
General Government Budget	Member	1:30 pm Daily	159-S
Government Efficiency	Member	3:30 pm Daily	546-S
Holmes, Carl	Office 174-W	785-296-7670	
First Session: 1985	District: 125	Republican	
Energy and Utilities	Chair	9:00 am Daily	785 DSOB
Agriculture & Natural Resources Bdgt.	Member	1:30 pm Daily	142-S
Admin. Rules & Regulations (Joint)	Vice-Chair	On Call	On Call
Energy & Environmental Policy (Joint)	Chair	On Call	On Call
Holmes, Mitch	Office 166-W	785-296-7667	
First Session: 2005	District: 114	Republican	
Pensions and Benefits	Chair	9:00 am Mon/Wed	142-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	346-S
Energy & Environmental Policy (Joint)	Member	On Call	On Call

Pensions, Investments & Benefits (Joint) Member		On Call	On Call
Spec. Claims Against the State (Joint) Member		On Call	On Call
Howell, Jim	Office DSOB	785-296-7665	
First Session: 2011	District: 82	Republican	
Education	Member	9:00 am Daily	784 DSOB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Government Efficiency	Member	3:30 pm Daily	546-S
Huebert, Steve	Office 149-S	785-296-1754	
First Session: 2001	District: 90	Republican	
Education	Vice-Chair	9:00 am Daily	784 DSOB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Local Government	Chair	3:30 pm Tue/Thu	144-S
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Spec. Claims Against the State (Joint)	Member	On Call	On Call
Legislative Educational Planning Comm.	Vice-Chair	On Call	On Call
Johnson, Steven	Office DSOB	785-296-7696	
First Session: 2011	District: 108	Republican	
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Agriculture & Natural Resources Bdgt.	Member	1:30 pm Daily	142-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Kelley, Kasha	Office 165-W	785-296-7671	
First Session: 2005	District: 79	Republican	
Appropriations	Vice-Chair	9:00 am Daily	346-S
Taxation	Member	3:30 pm Daily	783 DSOB
Legislative Budget (House)	Vice-Chair	On Call	On Call
Legislative Budget Committee	Member	On Call	On Call
Kelly, Jim	Office DSOB	785-296-6014	
First Session: 2011	District: 12	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Judiciary	Member	3:30 pm Daily	346-S
Kerschen, Dan	Office 452-S	785-296-7647	
First Session: 2009	District: 93	Republican	
Agriculture and Natural Resources	Vice-Chair	9:00 am Daily	783 DOSB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
Economic Development (Joint)	Member	On Call	On Call

COMMITTEE MEMBERSHIP

Kiegerl, Mike
First Session: 2005
 Children and Families
 Federal and State Affairs
 Social Services Budget
 Children's Issues (Joint)

Office 173-W
District: 43
 Chair
 Member
 Member
 Vice-Chair

785-296-7676
Republican
 9:00 am Tue/Thu
 1:30 pm Daily
 3:30PM Daily
 On Call

142-S
 346-S
 711 DSOB
 On Call

Kinzer, Lance
First Session: 2004
 Corrections and Juvenile Justice
 Judiciary
 State -Tribal Relations (Joint)
 Redistricting
 Rules and Journal

Office 165-W
District: 14
 Vice-Chair
 Chair
 Member
 Member

785-296-7692
Republican
 1:30 pm Daily
 3:30 pm Daily
 On Call
 On Call
 On Call

144-S
 346-S
 On Call
 On Call
 On Call

Kleeb, Marvin
First Session: 2009
 Appropriations
 Commerce & Econ. Development
 Taxation

Office 452-S
District: 48
 Member
 Member
 Vice-Chair

785-296-7680
Republican
 9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily

346-S
 785 DSOB
 783 DSOB

Knox, Forrest
First Session: 2005
 Energy and Utilities
 Federal and State Affairs
 Financial Institutions
 Energy & Environmental Policy (Joint)
 State -Tribal Relations (Joint)
 Redistricting

Office 274-W
District: 13
 Vice-Chair
 Member
 Chair
 Member
 Chair
 Member

785-296-7678
Republican
 9:00 am Daily
 1:30 pm Daily
 3:30 pm Tue/Thu
 On Call
 On Call
 On Call

785 DSOB
 346-S
 152-S
 On Call
 On Call
 On Call

Kuether, Annie
First Session: 1997
 Energy and Utilities
 Judiciary
 Energy & Environmental Policy (Joint)
 Redistricting

Office 43-S
District: 55
 *RM Member
 Member
 Member
 Member

785-296-7669
Democrat
 9:00 am Daily
 3:30 pm Daily
 On Call
 On Call

785 DSOB
 346-S
 On Call
 On Call

Landwehr, Brenda
First Session: 1995
 Health and Human Services
 Education Budget
 Health Policy Oversight (Joint)
 Home & Comm. Based Svcs. (Joint)
 Redistricting

Office 151-S
District: 91
 Chair
 Member
 Chair
 Member
 Member

785-296-7683
Republican
 1:30 pm Daily
 3:30 pm Daily
 On Call
 On Call
 On Call

784 DSOB
 159-S
 On Call
 On Call
 On Call

Lane, Harold
First Session: 2003
 Appropriations
 Agriculture & Natural Resources Bdgt.

Office 451-S
District: 58
 Member
 Member

785-296-7650
Democrat
 9:00 am Daily
 1:30 pm Daily

346-S
 142-S

Local Government	Member	3:30 pm Tue/Thu	144-S
Information Technology (Joint)	Member	On Call	On Call
LeDoux, Trent	Office DSOB	785 296-7646	
First Session: 2011	District: 50	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
General Government Budget	Member	1:30 pm Daily	159-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Loganbill, Judith	Office 43-S	785-296-7669	
First Session: 2001	District: 86	Democrat	
Education	Member	9:00 am Daily	784 DSOB
Federal and State Affairs	*RM Member	1:30 pm Daily	346-S
Government Efficiency	Member	3:30 pm Daily	546-S
Kansas Security (Joint)	Member	On Call	On Call
Mah, Ann	Office DSOB	785-296-7668	
First Session: 2005	District: 53	Democrat	
Elections	*RM Member	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Local Government	*RM Member	3:30 pm Tue/Thu	144-S
Legislative Post Audit Committee	Member	On Call	On Call
Mast, Peggy	Office DSOB	785-296-7685	
First Session: 1997	District: 76	Republican	
Appropriations	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Social Services Budget	Member	3:30PM Daily	711 DSOB
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Heath Policy Oversight (Joint)	Member	On Call	On Call
Kansas Security (Joint)	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Post Audit Committee	Vice-Chair	On Call	On Call
Redistricting	Member	On Call	On Call
McCray-Miller, Melody	Office DSOB	785-296-7687	
First Session: 2005	District: 89	Democrat	
Children and Families	Member	9:00 am Tue/Thu	142-S
Elections	Member	9:00 am Mon/Wed	546-S
Corrections and Juvenile Justice	*RM Member	1:30 pm Daily	144-S
Taxation	Member	3:30 pm Daily	783 DSOB
Children's Issues (Joint)	Member	On Call	On Call
McLeland, Joe	Office 458-W	785-296-7681	
First Session: 2001	District: 94	Republican	
Appropriations	Member	9:00 am Daily	346-S

COMMITTEE MEMBERSHIP

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General Government Budget	Chair	1:30 pm Daily	159-S
Social Services Budget	Member	3:30PM Daily	711 DSOB
Information Technology (Joint)	Member	On Call	On Call
Meier, Melanie	Office DSOB	785-296-7668	
First Session: 2009	District: 40	Democrat	
Vets., Military & Homeland Security	*RM Member	9:00 am Tue/Thu	546-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Judiciary	Member	3:30 pm Daily	346-S
Meigs, Kelly	Office DSOB	785-296-7656	
First Session: 2011	District: 17	Republican	
Children and Families	Member	9:00 am Tue/Thu	142-S
Elections	Member	9:00 am Mon/Wed	546-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Government Efficiency	Member	3:30 pm Daily	546-S
Heath Policy Oversight (Joint)	Member	On Call	On Call
Mesa, Reynaldo	Office DSOB	785-296-6838	
First Session: 2011	District: 123	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
Montgomery, Robert	Office DSOB	785-296-7677	
First Session: 2011	District: 26	Republican	
Elections	Member	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Transportation	Member	1:30 pm Daily	783 DSOB
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Moxley, Tom	Office 174-W	785-296-7689	
First Session: 2007	District: 68	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
O'Brien, Connie	Office 165-W	785-296-7671	
First Session: 2009	District: 42	Republican	
Elections	Member	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Vice-Chair	9:00 am Tue/Thu	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Education Budget	Member	3:30 pm Daily	159-S
Kansas Security (Joint)	Member	On Call	On Call
O'Hara, Charlotte	Office DSOB	785-296-7646	
First Session: 2011	District: 27	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB

Federal and State Affairs	Member	1:30 pm Daily	346-S
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
O'Neal, Mike	Office 370-W	785-296-2302	
First Session: 1985	District: 104	Republican	
Calendar and Printing	Vice-Chair	On Call	On Call
Interstate Cooperation	Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Chair	On Call	On Call
Redistricting	Chair	On Call	On Call
Osterman, Leslie	Office DSOB	785-296-7659	
First Session: 2011	District: 97	Republican	
Education	Member	9:00 am Daily	784 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Government Efficiency	Member	3:30 pm Daily	546-S
Otto, Bill	Office DSOB	785-296-7656	
First Session: 2005	District: 9	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Elections	Member	9:00 am Mon/Wed	546-S
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Patton, Joe	Office 459-W	785-296-7693	
First Session: 2007	District: 54	Republican	
Federal and State Affairs	Vice-Chair	1:30 pm Daily	346-S
Judiciary	Vice-Chair	3:30 pm Daily	346-S
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Spec. Claims Against the State (Joint)	Chair	On Call	On Call
Redistricting	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call
Pauls, Janice	Office 451-S	785-296-7657	
First Session: 1992	District: 102	Democrat	
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Judiciary	*RM Member	3:30 pm Daily	346-S
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call
Rules and Journal	Vice-Chair	On Call	On Call
Peck, Virgil	Office 561-W	785-296-7641	
First Session: 2005	District: 11	Republican	
Appropriations	Member	9:00 am Daily	346-S
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Transportation & Public Safety Bdgt.	Chair	3:30 pm Daily	142-S
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call

COMMITTEE MEMBERSHIP

XXV

Legislative Post Audit Committee	Member	On Call	On Call
Peterson, Mike	Office 276-W	785-296-7691	
First Session: 1979	District: 37	Democrat	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S
Redistricting	Member	On Call	On Call
Phelps, Eber	Office 276-W	785-296-7691	
First Session: 1997	District: 111	Democrat	
Education	Member	9:00 am Daily	784 DOSB
Transportation	Member	1:30 pm Daily	783 DOSB
Taxation	Member	3:30 pm Daily	783 DOSB
Interstate Cooperation	*RM Member	On Call	On Call
Legislative Educational Planning Comm.	Member	On Call	On Call
Phillips, Tom	Office DSOB	785-296-7690	
First Session: 2012	District: 67	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Health and Human Services	Member	1:30 pm Daily	784 DOSB
Government Efficiency	Member	3:30 pm Daily	546-S
Pottorff, Jo Ann	Office 176-W	785-296-7501	
First Session: 1985	District: 83	Republican	
Appropriations	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	783 DOSB
Transportation & Public Safety Bdgt.	Vice-Chair	3:30 pm Daily	142-S
State Building Construction (Joint)	Vice-Chair	On Call	On Call
Legislative Educational Planning Comm.	Member	On Call	On Call
Powell, Larry	Office 149-S	785-296-7694	
First Session: 2001	District: 117	Republican	
Agriculture and Natural Resources	Chair	9:00 am Daily	783 DOSB
Agriculture & Natural Resources Bdgt.	Member	1:30 pm Daily	142-S
Taxation	Member	3:30 pm Daily	783 DOSB
Redistricting	Member	On Call	On Call
Prescott, Willie	Office 168-W	785-296-7686	
First Session: 2009	District: 59	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	Vice-Chair	1:30 pm Daily	783 DOSB
Taxation	Member	3:30 pm Daily	783 DOSB
Interstate Cooperation	Member	On Call	On Call
Proehl, Richard	Office 50-S	785-296-7639	
First Session: 2005	District: 7	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DOSB
Transportation	Member	1:30 pm Daily	783 DOSB

Financial Institutions	Vice-Chair	3:30 pm Tue/Thu	152-S
Insurance	Member	3:30 pm Mon/Wed	152-S
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Rhoades, Marc	Office 351-S	785-296-7682	
First Session: 2007	District: 72	Republican	
Appropriations	Chair	9:00 am Daily	346-S
Legislative Budget (House)	Chair	On Call	On Call
Legislative Budget Committee	Chair	On Call	On Call
Roth, Charles	Office 174-W	785-296-7689	
First Session: 2005	District: 71	Republican	
Children and Families	Member	9:00 am Tue/Thu	142-S
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Government Efficiency	Member	3:30 pm Daily	546-S
Rubin, John	Office DSOB	785-296-7690	
First Session: 2011	District: 18	Republican	
Children and Families	Member	9:00 am Tue/Thu	142-S
Elections	Member	9:00 am Mon/Wed	546-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	346-S
Arts and Cultural Resources (Joint)	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call
Ruiz, Louis	Office DSOB	785-296-7122	
First Session: 2005	District: 32	Democrat	
Pensions and Benefits	*RM Member	9:00 am Mon/Wed	142-S
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Government Efficiency	Member	3:30 pm Daily	546-S
Health Policy Oversight (Joint)	Member	On Call	On Call
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Ryckman, Ronald	Office DSOB	785-296-7644	
First Session: 2011	District: 115	Republican	
Education	Member	9:00 am Daily	784 DSOB
General Government Budget	Member	1:30 pm Daily	159-S
Judiciary	Member	3:30 pm Daily	346-S
Scapa, Joseph	Office DSOB	785-296-7643	
First Session: 2011	District: 87	Republican	
Education	Member	9:00 am Daily	784 DSOB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Financial Institutions	Member	3:30 pm Tue/Thu	152-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S

Sloan, Tom	Office 55-S	785-296-7654	
First Session: 1995	District: 45	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Agriculture & Natural Resources Bdgt.	Member	1:30 pm Daily	142-S
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Chair	3:30 pm Mon/Wed	144-S
Energy & Environmental Policy (Joint)	Member	On Call	On Call
Smith, Greg	Office DSOB	785-296-7665	
First Session: 2011	District: 22	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Judiciary	Member	3:30 pm Daily	346-S
Spec. Claims Against the State (Joint)	Member	On Call	On Call
Spalding, Sheryl	Office 167-W	785-296-7649	
First Session: 2007	District: 29	Republican	
Education	Member	9:00 am Daily	784 DSOB
Transportation	Member	1:30 pm Daily	783 DSOB
Education Budget	Member	3:30 pm Daily	159-S
Arts and Cultural Resources (Joint)	Member	On Call	On Call
Suellentrop, Gene	Office 452-S	785-296-7680	
First Session: 2009	District: 105	Republican	
Appropriations	Member	9:00 am Daily	346-S
Commerce & Econ. Development	Vice-Chair	1:30 pm Daily	785 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Economic Development (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call
Swanson, Vern	Office 54-S	785-296-7642	
First Session: 2007	District: 64	Republican	
Energy and Utilities	Member	9:00 am Daily	785 DSOB
Transportation	Member	1:30 pm Daily	783 DSOB
Vision 2020	Vice-Chair	3:30 pm Mon/Wed	144-S
Arts and Cultural Resources (Joint)	Member	On Call	On Call
Tietze, Annie	Office DSOB	785-296-7648	
First Session: 2007	District: 56	Democrat	
Elections	Member	9:00 am Mon/Wed	546-S
Vets., Military & Homeland Security	Member	9:00 am Tue/Thu	546-S
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Interstate Cooperation	Member	On Call	On Call
Economic Development (Joint)	Member	On Call	On Call
Trimmer, Ed	Office DSOB	785-296-7122	
First Session: 2005	District: 78	Democrat	
Education	Member	9:00 am Daily	784 DSOB

COMMITTEE MEMBERSHIP

Health and Human Services	Member	1:30 pm Daily	784 DSOB
Government Efficiency	*RM Member	3:30 pm Daily	546-S
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call

Tyson, Caryn	Office DSOB	785-296-6838	
First Session: 2011	District: 4	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Commerce & Econ. Development	Member	1:30 pm Daily	785 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call

Vickrey, Jene	Office 352-S	785-291-3500	
First Session: 1993	District: 6	Republican	
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Vice-Chair	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call

Victors, Ponka-We	Office DSOB	785-296-7651	
First Session: 2011	District: 103	Democrat	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Federal and State Affairs	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	346-S
State -Tribal Relations (Joint)	Member	On Call	On Call

Ward, Jim	Office 451-S	785-296-7697	
First Session: 2003	District: 88	Democrat	
Education	*RM Member	9:00 am Daily	784 DSOB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Judiciary	Member	3:30 pm Daily	346-S
Corr. & Juv. Justice Oversight (Joint)	Member	On Call	On Call
Heath Policy Oversight (Joint)	Member	On Call	On Call
Redistricting	Member	On Call	On Call

Weber, Brian	Office DSOB	785-296-7644	
First Session: 2011	District: 119	Republican	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Taxation	Member	3:30 pm Daily	783 DSOB
Redistricting	Member	On Call	On Call

Wetta, Vince	Office DSOB	785-296-7651	
First Session: 2007	District: 80	Democrat	
Agriculture and Natural Resources	Member	9:00 am Daily	783 DOSB
Transportation	*RM Member	1:30 pm Daily	783 DSOB
Transportation & Public Safety Bdgt.	Member	3:30 pm Daily	142-S
Energy & Environmental Policy (Joint)	Member	On Call	On Call

Williams, Jerry	Office 451-S	785-296-7650	
First Session: 2001	District: 8	Democrat	
Agriculture and Natural Resources	*RM Member	9:00 am Daily	783 DOSB
Transportation	Member	1:30 pm Daily	783 DSOB
Pensions, Investments & Benefits (Joint)	Member	On Call	On Call
Winn, Valdenia	Office 451-S	785-296-7657	
First Session: 2001	District: 34	Democrat	
Education	Member	9:00 am Daily	784 DSOB
Health and Human Services	Member	1:30 pm Daily	784 DSOB
Education Budget	*RM Member	3:30 pm Daily	159-S
Admin. Rules & Regulations (Joint)	Member	On Call	On Call
Economic Development (Joint)	Member	On Call	On Call
Wolf, Kay	Office 168-W	785-296-7686	
First Session: 2005	District: 21	Republican	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Corrections and Juvenile Justice	Member	1:30 pm Daily	144-S
Government Efficiency	Member	3:30 pm Daily	546-S
State Building Construction (Joint)	Member	On Call	On Call
Wolf, Bill	Office 173-W	785-296-7695	
First Session: 2007	District: 112	Republican	
Children and Families	Vice-Chair	9:00 am Tue/Thu	142-S
Transportation	Member	1:30 pm Daily	783 DSOB
Social Services Budget	Member	3:30PM Daily	711 DSOB
Wolfe Moore, Kathy	Office DSOB	785-296-7687	
First Session: 2011	District: 36	Democrat	
Aging and Long-term Care	Member	9:00 am Tue/Thu	144-S
Federal and State Affairs	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	783 DSOB
Worley, Ron	Office 167-W	785-296-7649	
First Session: 2007	District: 30	Republican	
Aging and Long-term Care	Vice-Chair	9:00 am Tue/Thu	144-S
Pensions and Benefits	Member	9:00 am Mon/Wed	142-S
Transportation	Member	1:30 pm Daily	783 DSOB
Local Government	Member	3:30 pm Tue/Thu	144-S
Vision 2020	Member	3:30 pm Mon/Wed	144-S

* Does not reflect post-session committee membership changes.

**Constitutional Provisions
Governing
the
Kansas Legislature**



State of Kansas

KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

Article 2.—LEGISLATIVE

§ 1. **Legislative power.**—The legislative power of this state shall be vested in a house of representatives and senate.

§ 2. **Senators and representatives.**—The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for two year terms. Senators shall be elected for four year terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

§ 3. **Compensation of members of legislature.**—The members of the legislature shall receive such compensation as may be provided by law or such compensation as is determined according to law.

§ 4. **Qualifications of members.**—During the time that any person is a candidate for nomination or election to the legislature and during the term of each legislator, such candidate or legislator shall be and remain a qualified elector who resides in his or her district.

§ 5. **Eligibility and disqualification of members.**—No member of congress and no civil officer or employee of the United States or of any department, agency, or instrumentality thereof shall be eligible to be a member of the legislature. Any member of the legislature who accepts any appointment or election contrary to the foregoing shall be disqualified as a member of the legislature.

§ 6. This section was eliminated by the 1974 revision of this article.

§ 7. This section was eliminated by the 1974 revision of this article.

§ 8. **Organization and sessions.**—The legislature shall meet in regular session annually commencing on the second Monday in January, and all sessions shall be held at the state capital. The duration of regular sessions held in even-numbered years shall not exceed ninety calendar days. Such sessions may be extended beyond ninety calendar days by an affirmative vote of two-thirds of the members elected to each house. Bills and concurrent resolutions under consideration by the legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next succeeding regular session held in an even-numbered year, as if there had been no such adjournment.

The legislature shall be organized concurrently with the terms of representatives except that the senate shall remain organized during the terms of senators. The president of the senate shall preside over the senate, and the speaker of the house of representatives shall preside over the house of representatives. A majority of the members than elected (or appointed) and qualified of the house of representatives or the senate shall constitute a quorum of that house. Neither house, without the consent of the

other, shall adjourn for more than two days, Sundays excepted.

Each house shall elect its presiding officer and determine the rules of its proceedings, except that the two houses may adopt joint rules on certain matters and provide for the manner of change thereof. Each house shall provide for the expulsion or censure of members in appropriate cases.

Each house shall be the judge of elections, returns and qualifications of its own members.

§ 9. Vacancies in legislature.—All vacancies occurring in either house shall be filled as provided by law.

§ 10. Journals.—Each house shall publish a journal of its proceedings. The affirmative and negative votes upon the final passage of every bill and every concurrent resolution for amendment of this constitution or ratification of an amendment to the Constitution of the United States shall be entered in the journal. Any member of either house may make written protest against any act or resolution, and the same shall be entered in the journal without delay or alteration.

§ 11. This section was eliminated by the 1974 revision of this article.

§ 12. Origination by either house.—Bills and concurrent resolutions may originate in either house, but may be amended or rejected by the other.

§ 13. Majority for passage of bills.—A majority of the members then elected (or appointed) and qualified of each house, voting in the affirmative, shall be necessary to pass any bill. Two-thirds (2/3) of the members then elected (or appointed) and qualified in each house, voting in the affirmative, shall be necessary to ratify any amendment to the Constitution of the United States or to make any application for congress to call a convention for proposing amendments to the Constitution of the United States.

§ 14. Approval of bills; vetoes.—(a) Within ten days after passage, every bill shall be signed by the presiding officers and presented to the governor. If the governor approves a bill, he shall sign it. If the governor does not approve a bill, the governor shall veto it by returning the bill, with a veto message of the objections, to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and in not more than thirty calendar days (excluding the day received), the house of origin shall reconsider the bill. If two-thirds of the members then elected (or appointed) and qualified shall vote to pass the bill, it shall be sent, with the veto message, to the other house, which shall in not more than thirty calendar days (excluding the day received) also reconsider the bill, and if approved by two-thirds of the members then elected (or appointed) and qualified, it shall become a law, notwithstanding the governor's veto.

If any bill shall not be returned within ten calendar days (excluding the day presented) after it shall have been presented to the governor, it shall become a law in like manner as if it had been signed by the governor.

(b) If any bill presented to the governor contains several items of appropriation of money, one or more of such items may be disapproved by the governor while the other portion of the bill is approved by the governor. In case the governor does so disapprove, a veto message of the governor stating the item or items disapproved, and the reasons

therefor, shall be appended to the bill at the time it is signed, and the bill shall be returned with the veto message to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and, in not more than thirty calendar days, the house of origin shall reconsider the items of the bill which have been disapproved. If two-thirds of the members then elected (or appointed) and qualified shall vote to approve any item disapproved by the governor, the bill, with the veto message, shall be sent to the other house, which shall in not more than thirty calendar days also reconsider each such item so approved by the house of origin, and if approved by two-thirds of all the members then elected (or appointed) and qualified, any such item shall take effect and become a part of the bill.

§ 15. Requirements before bill passed.—No bill shall be passed on the day that it is introduced, unless in case of emergency declared by two-thirds of the members present in the house where a bill is pending.

§ 16. Subject and title of bills; amendment or revival of statutes.—No bill shall contain more than one subject, except appropriation bills and bills for revision or codification of statutes. The subject of each bill shall be expressed in its title. No law shall be revived or amended, unless the new act contain the entire act revived or the section or sections amended, and the section or sections so amended shall be repealed. The provisions of this section shall be liberally construed to effectuate the acts of the legislature.

§ 17. Uniform operation of laws of a general nature.—All laws of a general nature shall have a uniform operation throughout the state: *Provided*, The legislature may designate areas in counties that have become urban in character as “urban areas” and enact special laws giving to any one or more of such counties or urban areas such powers of local government and consolidation of local government as the legislature may deem proper.

§ 18. Election or appointment of officers; filling vacancies.—The legislature may provide for the election or appointment of all officers and the filling of all vacancies not otherwise provided for in this constitution.

§ 19. Publication of acts.—No act shall take effect until the enacting bill is published as provided by law.

§ 20. Enacting clause of bills; laws enacted only by bill.—The enacting clause of all bills shall be “Be it enacted by the Legislature of the State of Kansas:”. No law shall be enacted except by bill.

§ 21. Delegation of powers’ of local legislation and administration.—The legislature may confer powers of local legislation and administration upon political subdivisions.

§ 22. Legislative immunity.—For any speech, written document or debate in either house, the members shall not be questioned elsewhere. No member of the legislature shall be subject to arrest—except for treason, felony or breach of the peace—in going to, or returning from, the place of meeting, or during the continuance of the session;

neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

§ 23. This section was eliminated by the 1974 revision of this article.

§ 24. **Appropriations.**—No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.

§ 25. This section was eliminated by the 1974 revision of this article.

§ 26. **This section was repealed by the adoption of 1972 HCR 1097, on Aug. 1, 1972.**

§ 27. **Impeachment.**—The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators then elected (or appointed) and qualified.

§ 28. **Officers impeachable; grounds; punishment.**—The governor and all other officers under this constitution, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

§ 29. This section was eliminated by the 1974 revision of this article.

§ 30. **Delegations to interstate bodies.**—The legislature may confer legislative powers upon interstate bodies, comprised of officers of this state or its political subdivisions acting in conjunction with officers of other jurisdictions, relating to the functions thereof. Any such delegation, and any agreement made thereunder shall be subject to limitation, change or termination by the legislature, unless contained in a compact approved by the congress.

**Joint Rules
of the
Senate and
House of Representatives**



**State of Kansas
2011-2012**

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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 either house, not the house of origin of such bill, after the hour of adjournment on March 23, 2011, during the 2011 regular session and March 21, 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.

**Rules
of the Kansas
House of Representatives**



**State of Kansas
2011-2012**

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**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. Redistricting	23
22. Taxation	23
23. Transportation	19
24. Veterans, Military and Homeland Security	13
25. 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 committee9
- 2. Education budget committee9
- 3. General government budget committee9
- 4. Legislative budget committee8
- 5. Social services budget committee9
- 6. Transportation and public safety budget committee9

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

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives.

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. Unless approved by the Speaker, 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 Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

Rule 1502. Posting of Sequence for Succeeding Day. When the Speaker and the Majority Leader have 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.

Rule 1705. Point of personal privilege. Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received state-wide or national award or state-wide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

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. A motion shall be out of order unless the written motion is first 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;

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

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(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 (4), 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), (3) or (4) 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). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

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.

Rule 2110. Floor Amendments to Bills Making Appropriations. Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

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 (2010 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 announce the vote and, when the vote has been announced, shall direct the chief clerk to record 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 invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless excused by the Speaker. 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, as determined by the Speaker, 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) House 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; 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 Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker 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 speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

ARTICLE 33. MEMBER OFFICERS

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. 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, or shall be made available to members electronically online and all members shall be notified by email, 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. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

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. If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15 calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

Rule 4503. Return in Event of Committee's Failure to Report. If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

Rule 4504. Special Order of Business for ERO. When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution 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 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 on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has 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.

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SUSAN W. KANNARR, *Chief Clerk of the House*

EXPLANATION OF ABBREVIATIONS

Substantial economy of space was achieved in the text of the Journals by shortening the numerous references to bill and resolution numbers. Placing these in boldface type facilitates locating the bills readily on each page. The abbreviations used are as follows:

HB 2001	House Bill No. 2001
HCR 5001.....	House Concurrent Resolution No. 5001
HR 6001	House Resolution No. 6001
HP 2001	House Petition No. 2001
SB 1	Senate Bill No. 1
SCR 1601.....	Senate Concurrent Resolution No. 1601

EXPLANATION OF PAGE NUMBERING

The Senate and House Journals are printed in separate volumes. Paging in both Journals is consecutive and begin with page 1, continuing through the two-year biennium.

Under the section “History of Bills” HJ and SJ page numbers may refer to the separate House Journal and Senate Journal volumes.

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 9, 2012, 2:00 p.m.

This being the day fixed by the constitution of the State of Kansas for the assembling of the 2012 session of the legislature, the House was called to order at 2:00 p.m. by Speaker Michael R. "Mike" O'Neal.

Speaker O'Neal announced that the Rev. Eunice Brubaker, executive associate pastor, Fairlawn Church of the Nazarene, Topeka, will serve as chaplain of the House for the 2012 session.

Prayer by Chaplain Brubaker:

"O Lord, our Lord, how majestic is your name in all the earth! Splendor and majesty are before you; strength and glory are in your sanctuary. Be exalted, o Lord, in your strength. May God be gracious to us and bless us and make his face shine upon us." Today at the beginning of the 2012 session, we pray for our leaders to whom You have entrusted leadership of the great state of Kansas. We pray for: calmness in the face of adversity, encouragement in the face of frustration, understanding in the face of disagreement, and humility in the face of success. Give them the wisdom to know and to do what is right, and the courage to say no to all that is contrary to Your statutes of holy law. In Christ's Name I pray, Amen.

(Psalms 8:1, 21:13, 96:6; 67:1 – Book of Common Prayer)

The Pledge of Allegiance was led by Rep. Fawcett.

The roll was called with 124 members present.

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

COMMUNICATIONS FROM 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 2011 Regular Session of the Legislature:

From Karen Brownlee, Secretary, Kansas Department of Labor. the Kansas

Department of Labor's 2010 Annual Report.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, in accordance with K.S.A. 19-5005(e), the Annual Report for the fiscal year ending June 20, 2011.

From Angela Nordhus, Executive Director, State Child Death Review Board, in accordance with K.S.A. 22a-243(i), the 2011 Kansas State Child Death Review Review Board Annual Report. The report can be viewed at <http://www.ksag.org/page/child-safety>

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, the Kansas Public Employees Retirement System's Annual Financial Report. The report can be viewed at <http://www.kpers.org/annualreport2011.pdf>.

From Scott W. Miller, Director of Investments, Pooled Money Investment Board, the Annual Report of the Pooled Money Investment Board for Fiscal Year 2011.

From Ray Roberts, Secretary of Corrections, in accordance with K.S.A. 75-52,112, the Kansas Community Corrections Statewide Risk Reduction Initiative Annual Report.

From the Office of Governor Sam Brownback:

Executive Order No. 11-12, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-13, Extension of Prior Conditional and Temporary Relief Executive Orders.

Executive Order No. 11-14, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-15, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-16, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-17, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-18, declaring a Drought Watch, Drought Warning or Drought Emergency for the counties below replacing Executive Order 11-06.

Executive Order No. 11-19, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-20, Offering a Governor's Reward in a homicide investigation in Ford County.

Executive Order No. 11-21, Offering a Governor's Reward in a homicide investigation in Reno County.

Executive Order No. 11-22, Creating the National Bio and Agro Defense Facility in Kansas Steering Committee.

Executive Order No. 11-23, Establishing the Governor's Economic Advisors Council.

Executive Order No. 11-24, Extension of Prior Conditional and Temporary Relief Executive Order.

Executive Order No. 11-25, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-26, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-27, declaring a Drought Watch, Drought Warning, or

Drought Emergency for certain counties, replacing Executive Order No. 11-18.

Executive Order No. 11-28, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-29, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties, replacing Executive Order No. 11-18, until revised or rescinded by further executive order.

Executive Order No. 11-30, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-31, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-32, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-33, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-34, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-35, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-36, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-37, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties.

Executive Order No. 11-38, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-39, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-40, naming the Bennie Lee Graham Memorial Cemetery at the Kansas Juvenile Correctional Complex.

Executive Order No. 11-41, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-42, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-43, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-44, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-45, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-46, establishing additional duties of the Executive Branch Chief Information Technology Officer within the Department of Administration.

Executive Order No. 11-47, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-48, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties.

Executive Order No. 11-49, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Directive No. 11-419, Authorizing Personnel Transactions.

Executive Directive No. 11-420, Authorizing Expenditure of Federal Funds and Authorizing Personnel Transactions.

Executive Directive No. 11-421, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-422, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-423, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-424, Authorizing Expenditure of Federal Funds, and Authorizing Personnel Transactions.

Executive Directive No. 11-425, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-426, Authorizing Expenditure of Federal Funds.

Also, from Clint Blaes, Office of the Attorney General, in accordance with K.S.A. 75-723, 2011 annual report of the Abuse, Neglect and Exploitation Unit of the Attorney General's Office, January 5, 2012.

From Julian Efird, Principal Analyst, Kansas Legislative Research Department, Finale Report, KPERS Study Commission, December 31, 2011.

From Debra Billingsley, Executive Secretary, Kansas Board of Pharmacy, Report on Proposed Controlled Substances for Scheduling, Rescheduling or Deletion, January 9, 2012.

From Ernest E. Garcia, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, report regarding forfeiture funds, December 21, 2011.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, in accordance with K.S.A. 76-3312(p), Annual Report, "Restoring Hope, Saving Lives," December 19, 2011.

From Tim Shallenburger, President, and Rebecca E. Floyd, Executive Vice President/General Counsel, Kansas Development Finance Authority, Annual Report as required by K.S.A. 74-8913, November 30, 2011.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, Financial Statements for the years ended June 30, 2011 and 2010 and Independent Auditors' Report, November 29, 2011.

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. Siegfried, **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 Siegfried, 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. Siegfried, **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 members of the 2012 regular session shall occupy the same seats assigned pursuant to 2011 House Resolution No. 6007 with the following exceptions: Kleeb, seat No. 20; LeDoux, seat No. 85; Osterman, seat No. 104; B. Wolf, seat No. 62.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2412, AN ACT concerning cities; relating to dissolution, certain cities, by Representative D. Gatewood.

HB 2413, AN ACT concerning criminal procedure; relating to aid to indigent defendants; disclosure of tax information by department of revenue; amending K.S.A. 2011 Supp. 79-3234 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3234b, by Committee on Legislative Post Audit Committee.

HB 2414, AN ACT concerning the division of post audit; amending K.S.A. 2011 Supp. 46-1118 and 46-1121 and repealing the existing sections, by Committee on Legislative Post Audit Committee.

HB 2415, AN ACT concerning income taxation; relating to certain sales of land devoted to agricultural use; amending K.S.A. 2011 Supp. 79-32,117 and repealing the existing section, by Representative Sloan.

HB 2416, AN ACT concerning the division of health care finance of the department of health and environment; relating to updating references and corresponding changes due to transfer of powers and duties from the Kansas health policy authority; amending K.S.A. 22-4612 and K.S.A. 2011 Supp. 2-224a, 38-2001, 38-2006, 39-760, 39-7,116, 39-7,118, 39-7,119, 39-7,120, 39-7,121, 39-7,121a, 39-7,121d, 39-7,121e, 39-7,159, 39-968, 40-2134, 40-2136, 40-2251, 40-2252, 40-4702, 40-4706, 46-3501, 65-435a, 65-1685, 65-6801, 65-6803, 65-6804, 65-6805, 65-6806, 65-6807, 65-6809, 65-7405, 75-37,121, 75-5601, 75-6102, 75-7403, 75-7404, 75-7405, 75-7408, 75-7409, 75-7410, 75-7411, 75-7412, 75-7413, 75-7423, 75-7424, 75-7425, 75-7426, 75-7427, 75-7429, 75-7430, 75-7433, 75-7435, 75-7436 and 77-421 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7401, 75-7402, 75-7414, 75-7415, 75-7416, 75-7417, 75-7418, 75-7419, 75-7420, 75-7421, 75-7422 and 75-7428, by Committee on Joint Committee on Health Policy Oversight.

HB 2417, AN ACT concerning driver's licenses; amending K.S.A. 2011 Supp. 8-247 and repealing the existing section, by Representative Slattery.

HB 2418, AN ACT relating to veterans; concerning veterans preference; amending K.S.A. 2011 Supp. 73-201 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2419, AN ACT concerning criminal procedure; relating to aid to indigent defendants; amending K.S.A. 22-4504 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2420, AN ACT concerning cities; relating to bonded debt limits; amending and repealing the existing section; amending K.S.A. 2011 Supp. 10-308 and repealing the existing section, by Representative Fawcett.

HB 2421, AN ACT enacting the Kansas firearms freedom act, by Representatives O'Brien and Goodman.

HB 2422, AN ACT concerning the personal and family protection act; amending K.S.A. 2011 Supp. 75-7c05 and repealing the existing section, by Representatives Goodman and O'Brien.

HB 2423, AN ACT concerning municipalities; relating to political campaign yard signs, by Representative Goodman.

HB 2424, AN ACT concerning home and community based services waivers; relating to providers of home and community based services; amending K.S.A. 39-7,100 and repealing the existing section, by Representative Mast.

HB 2425, AN ACT concerning campaign finance; relating to schools; also relating to question submitted elections; amending K.S.A. 25-901 and 25-905 and K.S.A. 2011 Supp. 25-4143 and repealing the existing sections, by Representatives Goodman and O'Brien.

HB 2426, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; amending K.S.A. 2011 Supp. 74-8702, 74-8734, 74-8741, 74-8751 and 74-8768 and repealing the existing sections, by Representative Fawcett.

HB 2427, AN ACT concerning crimes and punishment; relating to entrapment of firearms dealers, by Representatives O'Brien and Goodman.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfried, **HCR 5028**, as follows, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. 5028 --

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

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 11, 2012, for the purpose of hearing the message of the Governor; 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 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.

Be it further resolved: That the Senate and the House of Representatives meet in joint session in Representative Hall at 5:00 p.m. on January 18, 2012, for the purpose of hearing a message from the Supreme Court on the judicial branch of government and that a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Supreme Court Justices.

In accordance with **HCR 5028** for the State of the State, Speaker O'Neal appointed Reps. Hayzlett, Vickrey and Henderson to escort the Governor.

Also, Reps. Landwehr, Mast and Slattery to escort the Lieutenant Governor.

Also, Reps. Sloan, Siegfried and Tietze to escort the Supreme Court.

Also, Reps. Aurand, Schwartz and Wetta to escort the Senate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to committees as indicated:

Aging and Long Term Care: **HB 2424**.

Corrections and Juvenile Justice: **HB 2413, HB 2419, HB 2427**.

Elections: **HB 2423, HB 2425**.

Federal and State Affairs: **HB 2421, HB 2422, HB 2426**.

Health and Human Services: **HB 2416**.

Local Government: **HB 2412, HB 2420**.

Taxation: **HB 2415**.

Transportation: **HB 2417**.

Veterans, Military and Homeland Security: **HB 2418**.

General Government Budget: **HB 2414**.

INTRODUCTION OF GUESTS

Speaker O'Neal introduced Dr. Deborah Clements who serves in a volunteer position this year as the President of the Kansas Academy of Family Physicians. She is the Program Director for the University of Kansas Family Medicine Residency Program and a Professor of Family Medicine at the University of Kansas. She also serves as the Faculty Advisor for the Family Medicine Interest Group and teaches medical students during their clerkships. Dr. Clements completed her family medicine residency at the University of Nebraska Medical Center in Omaha, NE, where she also received her medical degree. She is board certified in family medicine and was inducted as a fellow of the American Academy of Family Physicians in 2002.

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, Dr. Clements. Thank you for again providing this service.

MESSAGES FROM THE SENATE

Announcing adoption of **SR 1801**, a resolution relating to the organization of the 2012 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.

Also, announcing adoption of **SCR 1610**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2012 session of the Legislature is duly organized and ready to receive communication.

Also, announcing the appointment of Senators King and Francisco as Senate members of the committee to wait upon the Governor.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfroid, **SCR 1610**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2012 session of the Legislature is duly organized and ready to receive communication, was thereupon introduced and adopted.

In accordance with **SCR 1610**, Speaker O'Neal announced the appointment of Reps. Hayzlett, Vickrey and McCray-Miller to wait upon the Governor.

On motion of Rep. Siegfroid, the House adjourned until 11:00 a.m., Tuesday, January 10, 2012.

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 10, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Kelley, Peterson, Shultz and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father, As the members of this body begin their work on the various proposals and resolutions, help them to think clearly, speak confidently, and act courageously – believing that honorable service is built upon truth, patience and love. In the decisive days that lie ahead, help them to always remember that serving in this public office is a sacred trust. Grant them wisdom and courage so as not to fail the citizens of this state, but more importantly to not fail You. In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Collins.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2428, AN ACT concerning health care providers; relating to the university of Kansas medical center; amending K.S.A. 2011 Supp. 65-4915 and repealing the existing section, by Committee on Legislative Educational Planning Committee.

HB 2429, AN ACT concerning state educational institutions; relating to the state educational institution project delivery construction procurement act and expiration thereof; amending K.S.A. 2011 Supp. 76-7,125 and repealing the existing section, by Committee on Legislative Educational Planning Committee.

HB 2430, AN ACT concerning school districts; relating to the contingency reserve fund; amending K.S.A. 2011 Supp. 72-6426 and repealing the existing section, by Committee on Legislative Educational Planning Committee.

HB 2431, AN ACT concerning motor vehicles; relating to the issuance of educational institution license plates; amending K.S.A. 2011 Supp. 8-1,142 and repealing the existing section, by Committee on Legislative Educational Planning Committee.

COMMUNICATIONS FROM STATE OFFICERS

From Doug Louis, Director, Conservation Division, Kansas Corporation Commission, Abandoned Oil & Gas Well/Remediation Site Status Reports, January 9, 2012.

From Larry Biles, State Forester, Kansas Forest Service, 2011 Annual Report.

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

MESSAGE FROM THE SENATE

Announcing adoption of **HCR 5028**, 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.

The Senate announces the appointment of Senators Huntington and A. Schmidt to escort the Governor and Senators Marshall and Faust-Goudeau to escort the Lt. Governor. Also, Senators Owens and Kultala to escort the Supreme Court.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, January 11, 2012.

Journal of the House

THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 11, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 122 members present.

Rep. Hineman was excused on verified illness.

Reps. Kelley and Peterson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father in Heaven, You have made us Your children and called us to walk in the Light of Christ. Free us from darkness and keep us in the light of Your truth. Called to that Light, we ask for Your guidance. Form our lives in Your truth; form our hearts in Your Love; and form our actions in Your compassion. Give us the power of Your grace that we may walk in the Light of Christ and serve Him faithfully as we serve others. In Christ's Name, I pray, Amen.

The Pledge of Allegiance was led by Rep. Brookens.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2432, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the ducks unlimited license plate, by Representative Hoffman.

HB 2433, AN ACT concerning income taxation; relating to credits; qualified tuition and related expenses, by Committee on Taxation.

HB 2434, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2012, for the department of education; imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Legislative Educational Planning Committee.

HB 2435, AN ACT concerning postsecondary technical education; relating to career technical education programs and workforce grants; amending K.S.A. 72-4460, 72-4461, 72-4462, 72-4463, 72-4464 and 72-4465 and repealing the existing sections, by Committee on Legislative Educational Planning Committee.

HB 2436, AN ACT concerning public utilities; relating to the issuance of a certificate of public convenience; amending K.S.A. 66-131 and repealing the existing section, by Committee on Joint Committee on Energy and Environmental Policy.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education: **HB 2430**.

Education Budget: **HB 2429**.

Health and Human Services: **HB 2428**.

Transportation: **HB 2431**.

MESSAGE FROM THE GOVERNOR

December 27, 2011

Message to the House of Representatives of the State of Kansas:

EXECUTIVE DIRECTIVE No. 11-427
Authorizing Expenditure of Federal Funds

SAM BAROWNBACK
GOVERNOR

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

COMMUNICATIONS FROM STATE OFFICERS

From Lee E. Tafanelli, Adjutant General, Department Annual Report for 2011 which can be viewed online at <http://www.kansastag.gov/NGUARD.asp?PageID=395> or to the pdf file at http://www.kansstg.gov/AdvHTML_Upload/files/Annual%20Report%202011%20web.pdf, January 10, 2012.

From Gary Hershberger, Chair, Kansas Water Authority, 2012 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.

On motion of Rep. Siegfried, the House recessed until 6:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

It being the hour in accordance with **HCR 5028** to meet in joint session with the Senate to hear the message of the Governor, Reps. Aurand, Schwartz and Wetta escorted President Morris and members of the Senate to seats in the House.

Reps. Sloan, Siegfried and Tietze and Senators Owens and Kultala escorted the Supreme Court to seats in the House.

Reps. Landwehr, Mast and Slattery and Senators Marshall and Faust-Goudeau escorted the Lieutenant Governor to a seat in the House.

Reps. Hayzlett, Vickrey and Henderson and Senators Huntington and A. Schmidt escorted the Governor to the rostrum.

**Governor Sam Brownback's Complete Text
of the State of the State**

Mr. Speaker, Mr. President, Legislators, Justices of the Kansas Supreme Court; leaders of Kansas sovereign Native American Nations, my wonderful wife and First Lady of Kansas, Mary – and My Fellow Kansans - Good evening and welcome back. Our family just experienced its first wedding with our oldest daughter Abby marrying Eric Teetsel. After that excitement, emotion – and expense, I need to get back to work. So it's great to see you!

STATE OF TRANSITION

Let me start by saying - I am bullish on Kansas!

We are a state in transition.

From a high tax state---to a low tax state.

From a state struggling to pay our day to day bills---to a state with a healthy bank account.

From issuing more bonds and borrowing from our kids---to paying down our debt.

Transitioning from losing private sector jobs ---to growing our private sector workforce.

From an unsound pension system---to an honest defined contribution system.

From a school finance system trapped in litigation---to a simpler system focused on getting dollars out of the court room and into the classroom.

We are transitioning from a Medicaid system lurching between cutting providers, patients or both---to one that gets better results for our most vulnerable Kansans.

From a modest wind energy investment to a top 5 state for projects under construction.

From a wasteful use-it-or-lose-it water law doctrine---to preserving our most precious natural resource: fresh water.

This state in transition will look less to what Washington can do for Kansas and more to what we can do for ourselves.

That's a lot to accomplish. Can we get it done? Of course we can.

A year ago we met here facing two enormous challenges---a stagnant economy with fewer Kansans employed - and a big budget deficit. Many states across the country were struggling, but in 2010, Kansas ranked among the worst in private sector job creation.

Working together, we acted. Here are the results.

We overhauled our state's economic development system, enacted modest tax relief, and sent word around the world that Kansas is open for business! Since January 2011, Kansas has added more than 11,000 net private sector jobs

On the budget, we faced a \$500 million deficit --- but we did not raise taxes. Instead, we cut spending. Clearly, the era of ever-expanding government had to come to an end.

In fact, ---for the first time in 40 years--- the budget for the state's all funds spending actually went DOWN from one year to the next. By applying these fiscally conservative principles, you, the legislature, turned a \$500 million deficit into a more than \$100 million ending balance in one year!.

The Kansas Legislature got its job done on time and under budget. Thank you for doing that.

Those are the facts. And it's why now Kansas is considered one of the ten best

managed states in America. It is for these reasons, Mr. Speaker, Mr. President; I can report to you that the State of our State is STRONG – and getting STRONGER!

PRO-GROWTH TAX POLICY

Last session the Legislature gave our rural communities a new tool to help them reverse their population loss – and they have embraced the Rural Opportunity Zone program, offering no income tax and buying down of student loan debt to new or returning residents.

Joining us tonight is Benjamin Anderson, CEO of the Ashland Health Center. His hospital -- like many rural hospitals -- has struggled to attract medical professionals.

Since the Rural Opportunity Zone has gone into effect, Ashland has recruited - from out of state -doctors, nurses, and social workers. Benjamin tells me they aren't stopping there – they plan to recruit a dentist, a physical therapist and two more nurses.

It's the kind of population and economic growth I envisioned the Rural Opportunity Zone would bring to Kansas.

Still - the economy remains one of our most pressing issues. While there are certainly factors a state cannot control when it comes to its economy, taxes are one area we do control. And when it comes to taxes, we have some of the highest in the region. This hurts our economic growth and job creation.

To address this, I'm proposing a major step in overhauling our state tax code to make it fairer, flatter, and simpler. My tax plan will lower individual income tax rates for all Kansans. It brings the highest tax rate down from 6.45 percent to 4.9 percent, the second lowest in the region - and lowers the bottom tax bracket to 3 percent. My plan also eliminates individual state income tax on most small business income.

As we modernize our tax code and lower everyone's rates, it is also time to level the playing field and simplify state taxes by eliminating income tax credits, deductions, and exemptions – while expanding assistance to low-income Kansans through programs that are more effective and accountable. I firmly believe these reforms will set the stage for strong economic growth in Kansas – and will put more money into the pockets of Kansas families and businesses. Growth that will allow us to further reduce tax rates and increase our competitiveness. Growth that will see people move to Kansas instead of leaving our state.

With that in mind, I ask the legislature to limit further growth in government expenditures to no more than 2 percent a year – and devote all additional revenues to reductions in state tax rates. This will get us ever closer to the pro-growth states with no state income taxes - which are among the country's strongest economic performers.

It also will enable us to keep the lid on state sales tax and property tax rates by providing robust economic growth. Let's put our "lost decade" in the rear view mirror and speed ahead - at 75 miles per hour - to make this decade the decade of growth and job creation.

FY 2013 BUDGET

When I took office, the state had just ended the last fiscal year with only \$876 in the State General Fund. Excuse me, 876 dollars and Five cents. I immediately instituted a

policy of prioritizing expenditures; increasing efficiencies and studying our structural problems. This process required some difficult choices.

Last year when I addressed this body, I said that any fundamental solution to the state's budget problems must include reforming taxes, Medicaid, the pension system and school finance. We also had to face the steep decline in federal money coming to Kansas.

In the last year, working with a committed group of Cabinet Secretaries and this Legislature, we began implementing the needed reforms. Today I am pleased to present the results of this process.

My proposed Fiscal Year 2013 budget provides for an ending balance of \$465 million, exceeding the 7.5% statutory requirement. This budget fully funds or increases funding for essential services while holding State General Fund expenditures below last year's levels.

This budget begins to address the long term structural issues that placed the state in years of fiscal peril.

DEBT

This budget also addresses the state's ever increasing debt that has created a generational burden sent to our sons, daughters and grandchildren. State government is about to experience an influx of money in the expanded gaming fund with the opening of facilities in Wyandotte and Sumner Counties. To reduce the burden we leave to our children and grandchildren - we should use this increased revenue for its most important statutory purpose - to pay down our debt.

KPERS

For decades, state government shifted the burden of providing for state employees' retirement to future Legislatures. As a result, KPERS has a shortfall of more than \$8 billion. That's a huge hole, and the first rule of getting out of any hole is to "stop digging."

The KPERS Commission produced solid recommendations which will ensure that state government meets its obligation to retirees. Those who are currently receiving benefits or those who are vested in the current system will be fully protected. The state will increase its contributions to KPERS and require more from workers to pay those benefits. But for all new employees and those not currently vested, we can and should transition to a defined contribution system - like most private sector organizations in America.

The reason is simple---it guarantees that the state stays current in paying its bills and gives people the flexibility to freely move in and out of state employment instead of being trapped by our retirement system. State employees do important work and they deserve a fair and funded pension system. These reforms by the KPERS Commission do just that.

MEDICAID

We are committed to a strong, effective safety net for our most vulnerable Kansans. Medicaid spending continues to skyrocket, and it continues to place stress on funding for education, public safety, and other essential services. With additional funding cuts expected from the federal government, Kansas must transform Medicaid into a system

that improves services while managing costs. Many states have made the choice to either kick people off Medicaid or pay doctors less. Neither of those choices provides better outcomes. Kansas has a better solution.

The Lt. Governor, Dr. Jeff Colyer, and our cabinet team, with input from legislators and more than 1,800 stakeholders, have produced a measured, innovative and compassionate proposal. Unlike the current one-size-fits-all system, we will offer all Kansans a choice of plans that best fit their needs.

Kansans with long-term disabilities will have an integrated care coordinator. Those with developmental disabilities can keep their case manager if they choose. Many disabled Kansans want to work, but are stuck in government programs that provide neither respect nor independence. I propose Kansas be a national leader in helping the disabled find meaningful jobs. All Kansans should have the opportunity to pursue their dreams. With jobs providing an off ramp from Medicaid, we will be able help those in need of services and reduce our waiting list.

For years Medicaid was spread among several cabinet agencies. This year we will continue to make government smaller and better focused by consolidating multiple agencies into a restructured Department of Aging and Disability Services. By running government more efficiently and effectively, we can save money and provide better service.

SCHOOL FINANCE

The people of Kansas know what's best for their kids. Parents know better than elected officials. Parents know better than federal bureaucrats. And parents know better than unelected judges. It is past time to get education dollars out of the courtroom and into the classroom.

My plan is straightforward--no district gets less state money, every district gets more flexibility. Let me repeat that - NO DISTRICT will see its state aid go down. I propose adding 45 million dollars in state funding for our poorest school districts.

I also propose to give local school boards more flexibility to spend that money in the way they want because the government closest to the people works best. Local districts should be allowed to invest in the excellence of their schools to the extent their voters believe is appropriate. As more districts make those investments, my plan establishes a mechanism which will protect poorer districts so that they too benefit.

Some people ask me why reform the school finance formula now? Why not kick the can down the road for another year? The fact is the lawsuit is scheduled for trial this summer. And the People elected us – not the courts – to run our schools.

This new school finance formula should be sunsetted after four years. Thus ending the cycle of litigation and beginning a cycle of legislation.

WATER

The honor of my professional life has been to serve the people of Kansas, first as their Secretary of Agriculture; later as a Congressman, a Senator and in Governor. A regret I have is that more has not been done to preserve the Ogallala Aquifer.

Almost since statehood, we have told Kansans with water rights they must “use-it-or-lose-it.” This has encouraged the overuse of water, particularly of the Ogallala.

I propose to repeal the “use-it-or-lose-it” doctrine of our water law. It is way past time we move from a development policy with our water to a conservation ethic. We have

no future without water. This is altogether fitting and proper. For our government is not only a compact among those who are living, but a covenant with those who are yet to be.

SESQUICENTENNIAL

Our great state is one hundred and fifty years old. Many have come before us and God willing many more will come after us.

I would like to recognize the first Kansans, our Native American Leaders who are with us tonight. From the Iowa Tribe - Chairman Tim Rhodd; Kickapoo Tribe - Chairman Steve Cadue; and from the Prairie Band Potawatomi Tribal - Council Treasurer, Noah Wahquahboshkuk.

Also joining us tonight is Guy Monroe, Chairman of the Kaw Nation, also known as the Kansa Indians, after whom our State, Kansas, is named. And of course, this building is crowned with the statue of a Kansa Indian...shooting for the stars. Thank you for being with us tonight.

This last year we also celebrated some of our most Notable Kansans.

One of the most inspirational was Clyde Cessna---the man responsible as much as anyone for making Wichita The Air Capital of the World.

When we look at the achievements of great Kansans, it's easy to overlook the fact that even for them not every day was a successful day. They knew tears in their time, setbacks, and reversals. Clyde Cessna survived thirteen crashes before he achieved a successful aircraft design.

Kansas received some rough aviation news last week. We suffered a setback. But even in the face of that, we see hope. Yesterday, I was in Wichita to announce an agreement with Bombardier Learjet which will see that company expand its workforce in Wichita.

And we aren't done. There will be more.

Because, like Clyde Cessna, we're not going to quit. We're going to keep trying, keep innovating, keep growing. We're going to keep our faith in a loving God and a promising future...working together and praying together for a better Kansas.

I began tonight talking about my daughter's wedding. What a wonderful day. Seeing your child get married inspires a few tears and many emotions. For one, it makes you...feel...very...OLD. Or shall we say more mature. But it also reminds us of why we are here. That our season is short, the needs are great and people, particularly our children, are depending on us.

You as legislators sacrifice a great deal to be here. I appreciate that. The people of Kansas appreciate that. You leave your homes, businesses and communities to come here and serve the people. Thank you for what you do to make this a better state!

Together we will succeed...for we must.

Thank you. God bless you and may God continue to bless the People of Kansas.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, January 12, 2012.

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 12, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Huebert, Peterson, Ruiz and Spalding were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God, To meet the needs of the people of this great state, will, in the next few weeks, cause quite the debate. From Elkhart to Hiawatha people represent many a dogma. From Atwood to Coffeyville, their requests we desire to fulfill. From Harper to Norton, accomplishing results for their good is for certain. But above and beyond all, it is Your will from which we do not want to fall. In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Cassidy.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2437, AN ACT concerning elections; relating to voting; changing effective date of United States citizenship requirements; amending K.S.A. 2011 Supp. 25-2309 and repealing the existing section, by Committee on Elections.

HB 2438, AN ACT concerning county treasurers; amending K.S.A. 19-501 and repealing the existing section, by Committee on Elections.

HB 2439, AN ACT concerning school districts; relating to the counting of certain military pupils; amending K.S.A. 2011 Supp. 72-6448 and repealing the existing section, by Representatives Goodman and Fawcett.

HB 2440, AN ACT concerning crimes, criminal procedure and punishment; relating to reporting the death or disappearance of a child, by Committee on Corrections and Juvenile Justice.

HB 2441, AN ACT designating a portion of United States highway 75 as the Floyd H. Robinson memorial highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section, by Committee on Transportation.

HB 2442, AN ACT concerning individuals with disabilities; relating to employment and competitive bids for state contracts; amending K.S.A. 2011 Supp. 75-3739 and 75-

3740 and repealing the existing sections, by Committee on Social Services Budget.

HB 2443, AN ACT concerning income taxation; relating to film production tax credits; amending K.S.A. 2011 Supp. 79-32,258, 79-32,259 and 79-32,260 and repealing the existing sections, by Committee on Joint Committee on Arts and Cultural Resources.

HB 2444, AN ACT concerning schools and school districts; relating to seclusion and restraint of pupils, by Committee on Children and Families.

HB 2445, AN ACT concerning public utilities; relating to rates and energy storage devices, by Committee on Energy and Utilities.

HB 2446, AN ACT concerning the renewable energy standards act; relating to energy storage; amending K.S.A. 2011 Supp. 66-1257 and repealing the existing section, by Committee on Energy and Utilities.

HB 2447, AN ACT concerning income tax credits; relating to plugging of abandoned wells; amending K.S.A. 2011 Supp. 79-32,207 and repealing the existing section, by Committee on Joint Committee on Energy and Environmental Policy.

HB 2448, AN ACT pertaining to the continuation of health insurance for firefighters, by Representative Ward.

HB 2449, AN ACT concerning livestock; relating to the Kansas equine education and promotion board, by Committee on Appropriations.

HB 2450, AN ACT concerning small, minority and woman-owned businesses; enacting the Kansas small, minority and woman-owned business development act, by Committee on Commerce and Economic Development.

HB 2451, AN ACT concerning water; relating to water right abandonment; amending K.S.A. 2011 Supp. 82a-718 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2452, AN ACT concerning wildlife, parks and tourism; relating to special big game permits, by Committee on Agriculture and Natural Resources.

HB 2453, AN ACT concerning the commission on disability concerns; amending K.S.A. 2011 Supp. 74-6701, 74-6702, 74-6703, 74-6706 and 74-6707 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-6709, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2434**.

Education Budget: **HB 2435**.

Energy and Utilities: **HB 2436**.

Taxation: **HB 2433**.

Transportation: **HB 2432**.

REPORTS OF STANDING COMMITTEES

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 1, by Representative Mast, congratulating Timothy Mark Eicher, on achieving the rank of Eagle Scout;

Request No. 2, by Representative Schroeder, recognizing Jack Lindquist, for his

dedication to the promotion of agriculture;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfroid, the committee report was adopted.

On motion of Rep. Siegfroid the House adjourned pro forma until January 13, 2012 at 9:00 a.m..

Journal of the House

FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 13, 2012, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Vickrey in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2454, AN ACT concerning income taxation; providing a checkoff for the Kansas arts commission checkoff fund, by Representatives O'Neal, Arpke, Bruchman, Carlson, Cassidy, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hill, Hoffman, Howell, Kelly, Kleebe, LeDoux, Mast, McLeland, Mesa, Osterman, Otto, Pottorff, Proehl, Rhoades, Ryckman, Seiwert, Spalding, Weber, K. Wolf and Worley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2449**, **HB 2451**, **HB 2452**.

Children and Families: **HB 2444**.

Commerce and Economic Development: **HB 2450**.

Corrections and Juvenile Justice: **HB 2440**.

Education Budget: **HB 2439**.

Elections: **HB 2437**, **HB 2438**.

Energy and Utilities: **HB 2445**, **HB 2446**.

Government Efficiency: **HB 2453**.

Insurance: **HB 2448**.

Social Services Budget: **HB 2442**.

Taxation: **HB 2443**, **HB 2447**.

Transportation: **HB 2441**.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, January 17, 2012.

Journal of the House

SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 17, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Rep. Slattery was excused on legislative business.

Reps. Calloway, Hermanson, Landwehr, Peterson and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father, yesterday we celebrated the life and legacy of a great leader of our nation. We are thankful for the courage of Dr. Martin Luther King Jr. who spoke to our nation as a prophet from God— pointing out the sin we did not want to see. Like many prophets, he paid a high price for speaking the truth and calling us to repentance. He was a gift from God to us and we were not worthy of him. Help us to follow his example in listening and knowing what You have to say, and having the courage to stand up and speak out. In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Rhoades.

Kansas Trivia Question – Kansas was the first state to raise what kind of military unit?

Answer: African-American Infantry Regiment

SPECIAL REMARKS

In recognition of the birthday of Dr. Martin Luther King, Jr., and there being no objection, the following remarks of Reps. Ballard and Rubin are spread upon the Journal:

Remarks by Rep. Ballard:

I am proud to join with all Americans as we celebrate the life and legacy of Dr. Martin Luther King, Jr. As our nation commemorates Martin Luther King Jr. Day, let us remember the legacy of the man who spread a message of peace and justice and challenged America to fulfill the true promise of Democracy.

It has been 44 years since the death of Dr. King, yet the movement that he sparked so

many years ago still lives on through us all. Prior to his passing, Dr. King announced plans for a Poor People's campaign. The effort was formed to shine a light on the plight of the poor and working poor, and would have culminated with a march on Washington demanding a \$12 billion Economic Bill of Rights to guarantee employment to the able-bodied, incomes to those unable to work and an end to housing discrimination.

Remarks by Rep. Rubin:

I share with you an abiding admiration for Dr. Martin Luther King, Jr., whose birthday we celebrated yesterday. Dr. King was one of the greatest American leaders of the past 100 years and a founding father of the modern American civil rights movement. Moreover, I consider his August 28, 1963 "I Have a Dream" speech, delivered from the steps of the Lincoln Memorial in the 100th anniversary year of the Emancipation Proclamation, one of the seminal moments in American history, forever changing the course of both our public policy and cultural attitudes and, more than any other event, precipitating the landmark Civil Rights Act of 1965. This speech has always moved me deeply, not only because it so eloquently espouses the political and social beliefs that have spurred my public service – fairness, justice and equality of opportunity for all Americans – but because, as a Catholic devoted to Birdie, my Jewish wife of 40 years, and the proud father-in-law of an African-American son-in-law in Denver, Stephen McNeil, who with our daughter Shana has now presented us with an African-American grandson whom we adore – and whose photo I have placed on your desks this morning – the speech resonates with me on a profound personal level.

So, by your leave, Mr. Speaker, I would like now to present to our Chamber the words of Dr. King that changed the course of American history.

Reps. Rubin and Ballard then shared in reading Dr. Martin Luther King's speech:

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity. But one hundred years later, the Negro still is not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize a shameful condition.

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to

believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check — a check that will give us upon demand the riches of freedom and the security of justice. We have also come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quick sands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end, but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual. There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred.

We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. They have come to realize that their freedom is inextricably bound to our freedom. We cannot walk alone.

As we walk, we must make the pledge that we shall always march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality. We can never be satisfied, as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one. We can never be satisfied as long as our children are stripped of their selfhood and robbed of their dignity by signs stating "For Whites Only". We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our northern cities, knowing that somehow this situation can and will be changed. Let us not wallow in the valley of despair.

I say to you today, my friends, so even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: "We hold these truths to be self-evident: that all men are created equal."

I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of injustice, sweltering with the heat of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day, down in Alabama, with its vicious racists, with its governor having his lips dripping with the words of interposition and nullification; one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with a new meaning, "My country, 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the pilgrim's pride, from every mountainside, let freedom ring." And if America is to be a great nation this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York. Let freedom ring from the heightening Alleghenies of Pennsylvania!

Let freedom ring from the snowcapped Rockies of Colorado!

Let freedom ring from the curvaceous slopes of California!

But not only that; let freedom ring from Stone Mountain of Georgia!

Let freedom ring from Lookout Mountain of Tennessee!

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring.

And when this happens, when we allow freedom to ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles,

Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last! free at last! thank God Almighty, we are free at last!"

Rep. Ballard then led the members of the House in singing "We Shall Overcome."

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2455, AN ACT concerning utilities; creating the electricity highway fee, by Committee on Energy and Utilities.

HB 2456, AN ACT concerning the underground utility damage prevention act; relating to appointment of members; amending K.S.A. 2011 Supp. 66-1805 and repealing the existing section, by Committee on Energy and Utilities.

HB 2457, AN ACT concerning developmental disabilities; relating to the MR/DD waiver program; amending K.S.A. 39-7,100 and 39-1804 and repealing the existing sections, by Representative Ward.

HB 2458, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section, by Committee on Transportation.

HB 2459, AN ACT concerning driver's licenses; relating to motorcycles; amending K.S.A. 2011 Supp. 8-240 and repealing the existing section, by Representative Sloan.

HB 2460, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; employer affiliation, participation by certain employees and contribution rate; amending K.S.A. 74-4910 and K.S.A. 2011 Supp. 74-4920 and repealing the existing sections, by Committee on Joint Committee on Pensions, Investments, and Benefits.

HB 2461, AN ACT concerning retirement and benefits, relating to the Kansas public employees retirement fund; alternative investments; amending K.S.A. 2011 Supp. 74-4921 and repealing the existing section, by Committee on Joint Committee on Pensions, Investments, and Benefits.

HB 2462, AN ACT regulating traffic; concerning traffic-control lights; amending K.S.A. 2011 Supp. 8-1508 and repealing the existing section, by Representative Goodman.

HB 2463, AN ACT concerning employment; relating to employment requirements in certain state contracts; relating to employment requirements for certain state tax benefits; amending K.S.A. 2011 Supp. 12-17,166, 74-50,131, 74-50,212, 79-32,154 and 79-32,243 and repealing the existing sections, by Committee on Commerce and Economic Development.

HB 2464, AN ACT concerning criminal procedure; relating to discovery; certain visual depictions; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing section, by Committee on Judiciary.

HB 2465, AN ACT concerning crimes, punishment and criminal procedure; relating to lifetime electronic monitoring of certain offenders; amending K.S.A. 2011 Supp. 21-6604 and 22-3717 and repealing the existing sections, by Committee on Judiciary.

HB 2466, AN ACT concerning retirement and benefits; relating to the retirement of certain state officers and employees; election of health care benefit payments or lump-sum payment, by Representative Grant.

HB 2467, AN ACT concerning crimes, criminal procedure and punishment; relating

to transmission of sexually explicit or nude images of minors; amending K.S.A. 2011 Supp. 21-5510 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2468, AN ACT concerning criminal procedure; relating to discovery and production requirements of defense attorneys; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2469, AN ACT concerning crimes, criminal procedure and punishment; relating to payment of board of indigents' services fees; relating to parole revocation proceedings; amending K.S.A. 22-4529 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2470, AN ACT concerning regulated scrap metal; relating to unlawful acts; amending K.S.A. 2011 Supp. 50-6,111 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Taxation: **HB 2454**.

INTRODUCTION OF GUESTS

Speaker O'Neal introduced Jim Geringer, former Governor and Legislator of Wyoming.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, January 18, 2012.

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 18, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Vickrey in the chair.

The roll was called with 118 members present.

Reps. Grange, and Slattery were excused on legislative business.

Reps. Goico, Mesa, O'Brien, Peterson and Schwab were excused on excused absence by the Speaker.

Present later: Rep. Grange.

Prayer by Chaplain Brubaker:

Father in Heaven, Make your love the foundation of our lives. Make our love for You express itself in eagerness to do good for others. Through the example of Jesus Christ, make us courageous. Through His teachings, make us wise. Through His compassion, make us sensitive. Through His selflessness, make us generous in granting understanding and acceptance of others. Lord, I pray especially for Rep. Carlson in the passing of his brother last night. Be his comfort – his strength – and give him grace today and in the days to come. In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Grant.

Kansas Trivia Question – Sculptor Gutzon Borglum, who studied art at St. Mary's College, is best known for what work?

Answer: The presidential sculptures atop Mount Rushmore

INTRODUCTION OF GUESTS

On behalf of Rep. Rhoades, Rep. Ballard introduced Larry Trask, President of the Midwestern Higher Education Compact; and former Senator Lana Oleen, former MHEC interim President. The Midwestern Higher Education Compact is one of four statutorily created interstate compacts for higher education in the United States. MHEC was founded in 1991 through the efforts of the Midwestern Legislative Conference of the Council of State Governments.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2471, AN ACT concerning adult care homes; relating to the board of adult care home administrators; amending K.S.A. 2011 Supp. 65-3506 and repealing the existing section, by Committee on Aging and Long-term Care.

HB 2472, AN ACT concerning rural water districts; definitions; amending K.S.A. 2011 Supp. 82a-612 and repealing the existing section, by Committee on Energy and Utilities.

HB 2473, AN ACT concerning civil procedure; relating to pleadings and discovery; amending K.S.A. 2011 Supp. 60-208 and 60-226 and repealing the existing sections, by Committee on Judiciary.

HB 2474, AN ACT concerning alcoholic liquor; relating to class A clubs; amending K.S.A. 2011 Supp. 41-2637 and repealing the existing section, by Committee on Appropriations.

HB 2475, AN ACT concerning public health and welfare; relating to the funding for home and community-based services for the developmentally disabled program of the department of social and rehabilitation services; prescribing certain powers, duties and functions for preparation of caseload estimates; amending K.S.A. 2011 Supp. 75-3717 and repealing the existing section, by Committee on Children and Families.

HOUSE CONCURRENT RESOLUTION No. HCR 5029—

By Representatives Garber, Billinger, Boman, Calloway, Collins, Crum, Fawcett, Goico, Goodman, Gregory, Hayzlett, Hedke, Hoffman, Howell, Huebert, Knox, LeDoux, Mesa, O'Brien, Otto, Peck, Powell, Scapa, Seiwert and Wetta

A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

§ 1. Equal rights. All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization. "

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to expand the

class of human beings that currently enjoy inalienable rights, equal protection, and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological development of that human being, including fertilization.

“A vote for this proposition would amend the Kansas constitution to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment also would prohibit the state from discriminating against any class of human beings in the application, interpretation and enforcement of its laws.

“A vote against this proposition would not amend the constitution, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed.”

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered onto the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors at the primary election in the year 2012.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2466**.

Commerce and Economic Development: **HB 2463**.

Corrections and Juvenile Justice: **HB 2465, HB 2467, HB 2468, HB 2469**.

Energy and Utilities: **HB 2455, HB 2456**.

Health and Human Services: **HB 2457**.

Judiciary: **HB 2464, HB 2470**.

Pensions and Benefits: **HB 2460, HB 2461**.

Transportation: **HB 2458, HB 2459, HB 2462**.

CHANGE OF REFERENCE

Speaker pro tem Vickrey announced the withdrawal of **HB 2442** from Committee on Social Services Budget and referral to Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, pursuant to K.S.A. 2010 Supp. 66-1250 through 55-1254, Broadband Availability Report to the 2012 Legislature. Report can also be viewed at <http://kcc.ks.gov>.

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

MESSAGE FROM THE SENATE

The Senate announces the appointment of Senators Vratil and Haley to escort the Supreme Court for the purpose of hearing a message on the State of the Judiciary.

In accordance with **HCR 5028**, providing for the a joint session for the purpose of hearing a message from the Supreme Court, Speaker pro tem Vickrey appointed Reps. Brown, Grange and S. Gatewood to escort the Senate; Reps. M. Holmes, Knox and Frownfelter to escort the Supreme Court.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Huebert delivered yesterday, January 17, 2012, are hereby spread upon the Journal:

While this House Chamber was listening to the State of the State speech, my family was enjoying the state of the baby watch. Marsha and I would like you to join us in celebrating the birth of our granddaughter, Olivia Jane Bollenbach. She was born January 11, 2012, at 10:15 p.m. She weighed 7 pounds, 10 ounces and was 20 inches long.

On motion of Rep. Siegfroid, the House recessed until 5:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

It being the hour in accordance with **HCR 5028** to meet in joint session with the Senate to hear the message of the Chief Justice, Reps. Brown, Grange and S. Gatewood escorted the Senate to seats in the House.

Reps. M. Holmes, Knox and Frownfelter and Senators Vratil and Haley escorted the Chief Justice to the rostrum and other members of the Supreme Court to seats in the House.

Chief Justice Lawton R. Nuss addressed remarks on the State of the Judiciary to the members of the House and Senate.

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002 reported correctly enrolled and properly signed on January 18, 2012.

On motion of Rep. Siegfroid, the House adjourned until Thursday, January 19, 2012.

Journal of the House

EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 19, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Rep. Slattery was excused on legislative business.

Reps. Goico, Mesa and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord, today for these leaders I pray Your Word from Proverbs: "...take to heart what I'm telling you; collect my counsels and guard them with your life. Tune your ears to the world of wisdom; set your heart on a life of understanding. ... if you make insight your priority, and won't take no for an answer... you'll have come upon the knowledge of God. ... God gives out wisdom free, is plainspoken in knowledge and understanding. He's a rich mine of common sense for those who live well, a personal bodyguard to the candid and sincere. He keeps his eye on all who live honestly, and pays special attention to his loyally committed ones. ...Lady Wisdom will be your close friend, and Brother Knowledge your pleasant companion. Good Sense will scout ahead for danger, Insight will keep an eye out for you." May these words encourage us today. In Christ's Name I pray, Amen. (Proverbs 2, The Message)

The Pledge of Allegiance was led by Rep. Siegfried.

Kansas Trivia Question – The coldest temperature in Kansas was recorded in Lebanon in 1905. How cold was it?

Answer: A bone-chilling 40 degrees below zero Fahrenheit

INTRODUCTION OF GUESTS

There being no objection, the following remarks by Rep. Schroeder are hereby spread upon the Journal:

The Mission of Kansas Agriculture and Rural Leadership, known simply as KARL,

is never ending: To provide first-class leadership development for agricultural and rural stakeholders by offering challenging education and enrichment programs as well as a forum for continuous engagement.

Formed in 1989 as a charitable not for profit organization, KARL has conducted intensive training programs without tax derived funds save for the in-kind gift of office space at Kansas State University. Participants selected through application are provided a 52 day seminar series to develop leadership skills, obtain information and develop contacts. A range of experiences from local decision making through international trade topics helps them step into leadership roles to better serve others.

To date, \$4.3 million of private money has been raised and spent on this program. That money has been invested over the last twenty years in 300 new key agricultural and rural leaders through cultural experiences in Kansas, Washington DC, as well as countries around the world.

Every major commodity association board, several commissions and multiple boards, advisors and councils from the local through national level involve KARL alumni.

Today, KARL is the preferred partner in developing excellence in agricultural and rural leadership. Assistance has been provided for seven states to form similar programs and three other states are using the KARL model – with more autonomy than previous programs that connected more directly to tax derived support.

The KARL motto states: “With Leadership Comes Responsibility.” It is my privilege to recognize Jack Lindquist and Marisa Larson as President and Vice President of the nationally recognized agricultural leadership program as they continue their quest to develop agricultural leadership excellence across the great state of Kansas. Please join me in honoring the Kansas Agriculture and Rural Leadership program along with Jack and Marisa.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2476, AN ACT concerning the personal and family protection act; relating to carrying concealed handguns on school premises; amending K.S.A. 2011 Supp. 75-7c10 and 75-7c17 and repealing the existing sections, by Committee on Education.

HB 2477, AN ACT concerning compulsory school attendance laws; requiring alternative learning plans; amending K.S.A. 2011 Supp. 72-1111 and repealing the existing section, by Committee on Education.

HB 2478, AN ACT concerning cities; relating to annexation, by Representative Mah.

HB 2479, AN ACT concerning taxation; relating to fire districts, tax levy; amending K.S.A. 19-3610 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Aging and Long-term Care: **HB 2471**.

Energy and Utilities: **HB 2472**.

Federal and State Affairs: **HB 2474**.

Judiciary: **HB 2473**, **HCR 5029**.

Social Services Budget: **HB 2475**.

REPORTS OF STANDING COMMITTEES

Committee on **Local Government** recommends **HB 2412** be amended on page 1, in line 4, after "moneys" by inserting "in 2010 or 2011"; and the bill be passed as amended.

Upon unanimous consent, the House referred back the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2480, AN ACT concerning income taxation; relating to Kansas adjusted gross income; thrift savings plan distributions; railroad retirement annuities; amending K.S.A. 2011 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2481, AN ACT concerning mineral severance tax; relating to taxation of helium and other gases; prohibiting certain refunds related thereto; amending K.S.A. 79-4226 and K.S.A. 2011 Supp. 79-4216 and repealing the existing sections, by Committee on Taxation.

HB 2482, AN ACT concerning the Kansas adoption and relinquishment act; relating to parental rights; amending K.S.A. 59-2124 and 59-2134 and K.S.A. 2011 Supp. 59-2136 and repealing the existing sections, by Committee on Judiciary.

HB 2483, AN ACT concerning planning and zoning; amending K.S.A. 12-759 and 12-760 and repealing the existing sections, by Committee on Judiciary.

HB 2484, AN ACT concerning civil procedure; relating to depositions; amending K.S.A. 2011 Supp. 60-228 and repealing the existing section, by Committee on Judiciary.

HB 2485, AN ACT concerning insurance; relating to antifraud plans; amending K.S.A. 2011 Supp. 40-2,118 and repealing the existing section, by Committee on Insurance.

HB 2486, AN ACT concerning insurance; relating to examination of organizations and providers; amending K.S.A. 40-3211 and repealing the existing section, by Committee on Insurance.

HB 2487, AN ACT concerning insurance agents; pertaining to violations of the uniform insurance agents licensing act; amending K.S.A. 2011 Supp. 40-4909 and repealing the existing section, by Committee on Insurance.

HB 2488, AN ACT concerning crimes, criminal procedure and punishment; relating to insurance premiums as restitution amount; amending K.S.A. 2011 Supp. 12-4509 and 21-6604 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2489, AN ACT concerning certain natural gas public utilities cooperatives; deregulation, by Committee on Energy and Utilities.

HB 2490, AN ACT concerning doctor of nursing practice degrees at Washburn university; amending K.S.A. 72-6508 and repealing the existing section, by Committee on Health and Human Services.

HB 2491, AN ACT concerning wildlife; relating to hunting; amending K.S.A. 2011 Supp. 32-1002 and repealing the existing section, by Committee on Federal and State

Affairs.

HB 2492, AN ACT concerning the e-verify program and the use thereof by business and governmental entities; penalties, by Committee on Federal and State Affairs.

REPORT ON ENROLLED RESOLUTIONS

HCR 5028 reported correctly enrolled, properly signed January 19, 2012.

On motion of Rep. Siegfried, the House adjourned until 9:00 a.m., Friday, January 20, 2012.

Journal of the House

NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 20, 2012, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Vickrey in the chair.

The roll was called with 95 members present.

Reps. Ballard, Johnson, Roth and Slattery were excused on legislative business.

Reps. Aurand, Dillmore, Donohoe, Flaharty, D. Gatewood, S. Gatewood, Goico, Henderson, Henry, Hill, M. Holmes, Kelley, Kiegerl, Kinzer, Mah, Mesa, Mosier, O'Brien, Osterman, Peck, Peterson, Rhoades, Ruiz, Schwab, Shultz and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
in this group of 125,
the number one might seem a bit insignificant.
However, when one vote is needed,
it only takes one
for that vote to be provided.
When the atmosphere is like a ticking bomb,
it only takes one
to speak words of peace and calm.
When disagreements and arguments are in the air,
it only takes one
to encourage all to speak and play fair.
Help each individual to seriously consider
that at any given time,
on any given day,
they may be the one
who makes the difference.
In Your Son's Name, I pray, Amen.

The Pledge of Allegiance was led by Rep. Grange.

Kansas Trivia Question – The legislature described Helianthus Annus in this way: “call it gaudy, coarse, and self-asserting if you will – it is persistent, bright, ever reaching upward and turning its face toward the light and so is the emblem of a true

Kansas.” What is *Helianthus Annus*?

Answer: A sunflower.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Tyson are spread upon the Journal:

We all have family of whom we are proud. I would like to introduce today a Kansas Son of whom we can all be proud, Dane Simoneau.

Great leaders are team players- and Dane is both a leader and a team player. After earning all-league honors in baseball at Washburn, he went on to complete his senior season in football and lead the Washburn Ichabods to a school-record 10 wins and Washburn's first ever playoff win.

Dane has earned five All-American honors:

- Runner-up for the Harlon Hill Division II National Player of the Year
- Associated Press Little All-American First Team Quarterback
- American Football Coaches Association All-American First Team
- Don Hansen Football Gazette All-American First Team
- D2 Football.com All-American First Team

Out of 152 teams and over 13,700 NCAA Division II football players, Dane was the number one D2 quarterback in the nation. He broke his own single-season record passing for 4,089 yards. In the season opener against Sioux Falls, he completed 27 passes for another school record of 452 yards throwing for five touchdowns. He owns 35 Washburn career season, and single game records.

Dane will be the first to tell you the importance of teamwork. He has demonstrated that working together and a positive attitude are key for success. He leads by example.

Dane's team includes some very special people: The Washburn Ichabod football team and fans, Head Coach Craig Shurig, and his coaching staff, Washburn President Jerry Farley, Athletic Director Loren Ferre, Sports Information, Gene Cassel, friends, family including aunts, uncles, cousins, grandparents (some of whom have joined us today), his sisters Abby and Tayler, and two of his strongest supporters, his parents, Don and Jennifer Simoneau.

It is an honor and privilege to recognize Dane today for “exemplary Leadership and Teamwork as an All-American Quarterback for the Washburn Ichabods and a role model for all Kansans.” Congratulations Dane.

Rep. Tyson presented Dane with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2493, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, and June 30, 2013, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on

Appropriations.

HB 2494, AN ACT concerning crimes, criminal procedure and punishment; relating to the statute of limitations for sexually violent offenders when the victim is a child; amending K.S.A. 2011 Supp. 21-5107 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2495, AN ACT concerning wildlife, parks and tourism; relating to vessel fees; amending K.S.A. 2011 Supp. 32-1172 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2496, AN ACT concerning law enforcement; relating to law enforcement officers and juvenile justice authority employees; amending K.S.A. 2011 Supp. 74-5602 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2497, AN ACT concerning crimes, criminal procedure and punishment; relating to competence of defendants to stand trial; repealing K.S.A. 22-3301 and 22-3306 and K.S.A. 2011 Supp. 22-3302, 22-3303 and 22-3305, by Committee on Corrections and Juvenile Justice.

HB 2498, AN ACT concerning crimes, criminal procedure and punishment; relating to mental health diversions for certain defendants, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2488**.

Education: **HB 2477**.

Energy and Utilities: **HB 2489**.

Federal and State Affairs: **HB 2476**, **HB 2491**, **HB 2492**.

Health and Human Services: **HB 2490**.

Insurance: **HB 2485**, **HB 2486**, **HB 2487**.

Judiciary: **HB 2482**, **HB 2483**, **HB 2484**.

Local Government: **HB 2478**.

Taxation: **HB 2479**, **HB 2480**, **HB 2481**.

COMMUNICATIONS FROM STATE OFFICERS

From Dale Rodman, Secretary, Kansas Department of Agriculture, 2011 Annual Report.

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

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Utilities** recommends **HB 2436** be amended on page 1, in line 7, following "131." by inserting "(a)";

On page 2, in line 2, following the second "a" by inserting "common carrier or public"; in line 4, following "application." by inserting "Nothing in this subsection shall preclude an applicant and the commission from agreeing to a waiver or an extension of the 180-day period."; and the bill be passed as amended.

Committee on **Vision 2020** recommends **HB 2096** be amended on page 1, in line 9,

by striking "2010" and inserting "2011"; in line 22, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture"; in line 35, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture";

On page 2, in line 1, by striking "state conservation"; in line 2, by striking "commission" and inserting "division of conservation of the department of agriculture"; in line 5, by striking "state conservation"; in line 6, by striking "commission" and inserting "division of conservation of the department of agriculture"; in line 8, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture"; in line 15, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture"; in line 30, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture"; in line 35, by striking "state conservation commission"; and inserting "division of conservation of the department of agriculture"; in line 39, by striking "state"; in line 40, by striking "conservation commission" and inserting "division of conservation of the department of agriculture"; in line 42, following "for" by inserting "any amount up to"; also in line 42, by striking "state conservation"; in line 43, by striking "commission" and inserting "division of conservation of the department of agriculture";

On page 3, in line 19, by striking "in the future for achievement of" and inserting "to protect water supplies and water quality, provide protection against drought and protect recreational opportunities if"; in line 20, by striking "if such agreements";

On page 4, in line 4, by striking "opportunitiy"; and inserting "opportunity"; in line 8, by striking "2010" and inserting "2011";

On page 5, in line 5, by striking "maintainence"; and inserting "maintenance"; in line 18, by striking "2010" and inserting "2011"; in line 24, by striking "The state conservation commission is authorized to adopt rules"; by striking all in line 25; in line 26, by striking "projects."; also in line 26, by striking "state conservation"; in line 27, by striking "commission" and inserting "division of conservation of the department of agriculture"; also in line 27, by striking "state"; in line 28, by striking "conservation commission" and inserting "division of conservation of the department of agriculture"; in line 30, by striking "2010" and inserting "2011"; in line 37, by striking "state conservation commission" and inserting "division of conservation of the department of agriculture";

On page 6, in line 9, by striking "20" and inserting "50";

On page 7, in line 3, by striking "2010" and inserting "2011"; in line 10, by striking "20" and inserting "50"; in line 13, following "project" by inserting ", subject to the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto"; also in line 13, by striking "appropriation" and inserting "reservation"; in line 31, by striking "(c)"; in line 37, by striking "The Kansas water office may recover the state's costs incurred in"; by striking all in lines 38 through 43;

On page 8, in line 1, by striking "percent."; in line 2, by striking "2010" and inserting "2011"; in line 9, by striking "20" and inserting "50"; in line 12, following "project" by inserting ", subject to the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto"; also in line 12, by striking "appropriation" and inserting "reservation"; by striking all in lines 34 through 37; in line 38, by striking "rights associated with recreation features."; in line 39, by striking "The state may pay

up to 100% of the engineering and"; by striking all in lines 40 through 42; in line 43, by striking "(d)";

On page 9, in line 6, by striking "The Kansas water office may recover the state's costs incurred in"; by striking all in lines 7 through 13; in line 14, by striking "2010" and inserting "2011"; in line 17, by striking "(d)"; in line 24, by striking "20" and inserting "50"; in line 27, following "project" by inserting ", subject to the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto"; in line 29, by striking "appropriation" and inserting "reservation";

On page 10, in line 3, by striking "(c)"; in line 9, by striking "The Kansas water office may recover the state's costs incurred in"; by striking all in lines 10 through 16; in line 17, by striking "biological survey in consultation with"; in line 18, by striking "the Kansas"; in line 19, by striking "repository" and inserting "collection and integration"; in line 20, following "state" by inserting "for the purpose of providing and integrating interagency water quantity and quality data"; in line 22, by striking "repository" and inserting "collection and integration"; in line 25, by striking "repository" and inserting "collection and integration"; in line 26, by striking "The Kansas biological survey shall conduct bathymetric"; by striking all in lines 27 through 32; in line 33, by striking "(d)"; in line 35, by striking "repository" and inserting "collection and integration"; also in line 35, by striking "The Kansas biological survey is"; by striking all in lines 36 and 37; in line 38, by striking "(e)" and inserting "(d)"; by striking all in lines 40 through 43;

On page 11, by striking all in lines 1 through 12; in line 13, by striking "11" and inserting "10"; also in line 13, by striking "2010" and inserting "2011"; in line 16, by striking "12" and inserting "11";

On page 1, in the title, in line 2, by striking "repository" and inserting "collection and integration"; also in line 2, by striking "granting preservation easement authority to the"; by striking all in line 3; in line 4, by striking "storage rates" and inserting "relating to conservation and water supply storage"; also in line 4, by striking "2010" and inserting "2011"; and the bill be passed as amended.

(Having been referred separately, **HB 2096** is now in Committee on Agriculture and Natural Resources.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 3, by Representative Tyson, congratulating Dane Simoneau for exemplary leadership and teamwork as an All-American Quarterback for the Washburn University Ichabods;

Request No. 4, by Representative Bowers, congratulating Lena Hamel on celebrating her 100th birthday;

Request No. 5, by Representative Bowers, congratulating Marie Biery on celebrating her 100th birthday;

Request No. 6, by Representative Bowers, congratulating Tommie Berger on retiring with 38 years of service as a district fisheries biologist for Kansas Wildlife and Parks and Tourism;

Request No. 7, by Representative Bowers, recognizing Dan Stehlik for being

awarded the Honorary American FFA Degree-Teacher;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, January 23, 2012.

Journal of the House

TENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 23, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Rep. Hermanson was excused on verified illness.

Reps. Mosier, Peterson, Schwab, Weber and K. Wolf were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Thank you for this past weekend
that we have had to take a break—
to step back for a brief moment
from the tasks that lie ahead.
Today as we begin this new week
and the work and responsibilities it holds,
help us cling to Your promise,
“I myself will prepare your way,
leveling mountains and hills...
and reveal to you
the hidden treasures of spiritual knowledge.”
Drive away all our fears.
Our only hope and comfort—
is to turn to you,
to put all our trust in you,
to call inwardly upon you,
and to wait for your comfort with patience.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Phelps.

Kansas Trivia Question – Of its thirty different amphibian species, Kansas boasts one that can grow to 132 pounds. What is it?

Answer: The Alligator Snapping Turtle, the record holder was found in Labette County in 1938.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2499, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the masonic lodge license plate, by Committee on Transportation.

HB 2500, AN ACT regulating traffic; restricting the use of wireless telephones while operating school buses, by Committee on Transportation.

HB 2501, AN ACT concerning property taxation; defining real and personal property; amending K.S.A. 79-102 and repealing the existing section, by Committee on Taxation.

HB 2502, AN ACT concerning agriculture; relating to swine production facilities and establishment procedures; amending K.S.A. 17-5907 and 17-5908 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2503, AN ACT concerning agriculture; relating to agricultural boards and advisory bodies; amending K.S.A. 2011 Supp. 2-3709, 74-552, 74-553, 74-555 and 74-50,163 and repealing the existing sections; also repealing K.S.A. 74-551, by Committee on Agriculture and Natural Resources.

HB 2504, AN ACT concerning financial advisers; relating to immunity from liability in civil actions for reporting certain activities, by Representative Trimmer.

HB 2505, AN ACT concerning limitations on loans and borrowing; relating to derivative transactions; amending K.S.A. 9-1104 and repealing the existing section, by Committee on Financial Institutions.

HB 2506, AN ACT concerning driver's licenses; relating to habitual violators; motorized bicycles; amending K.S.A. 8-286 and 8-288 and K.S.A. 2011 Supp. 8-235 and 8-287 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2507, AN ACT repealing K.S.A. 40-3508; concerning reinsurance limits for mortgage guaranty insurance companies, by Committee on Insurance.

HB 2508, AN ACT pertaining to insurance holding companies; amending K.S.A. 40-3302, 40-3304, 40-3305, 40-3306, 40-3307, 40-3308, 40-3309, 40-3310, 40-3311 and 40-3311a and repealing the existing sections, by Committee on Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources Budget: **HB 2495**.

Appropriations: **HB 2493**.

Corrections and Juvenile Justice: **HB 2494**, **HB 2496**, **HB 2497**, **HB 2498**.

COMMUNICATIONS FROM STATE OFFICERS

From Robert Moser, M.D., Secretary and State Health Officer, Kansas Department of Health and Environment, Annual Report, 2011.

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

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, January 24, 2012.

Journal of the House

ELEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 24, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. Colloton was excused on legislative business.

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

Prayer by Chaplain Brubaker:

Lord, today as we come to You
seeking Your help, wisdom and guidance,
I pray for the spirit of encouragement for these leaders.
Daily they receive hundreds of emails and calls.
Some are encouraging and nice,
some downright attack and bite.
And even though these leaders may have
strong personalities and traits,
criticism still wounds the spirit
and the strong will it frustrates.
So I pray today that they will find
strength and comfort,
stamina and fortitude,
and mercy and understanding,
Most of all, Lord,
help them to recognize and lean upon
Your never ending faithfulness.
I pray for Federal Judge Wesley Brown's family.
Thank you for this man of outstanding service.
Today, bring comfort and strength to his family in this time of loss.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hill.

Kansas Trivia Question -- In 1905, the city fathers of Dexter were confused when they found that their natural gas reserve wouldn't ignite. What element did they discover in the gas?

Answer: Helium

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Kiegerl are spread upon the Journal:

I rise to share some joyous news with you. Last week we heard from two proud grandfathers introducing their grandchildren. I'll do them even better – I want you to take a look at the picture of Ashlynn Christine Loomis, my great granddaughter. The candy bar coming with her picture is not nearly as sweet as she is.

My granddaughter Megan, mother of Ashlynn, is 18 years old as is the father. Our great granddaughter was born under less than ideal circumstances but I am proud she was born at all. At no time did they consider terminating this pregnancy and also it was inconvenient. Megan started nurses training last week rather than last fall. She is a great blessing.

I cannot adequately express what a joy and comfort it is for an old man to see a new life begin its terrestrial pilgrimage while his is about to end.

You may have seen my license plate OPA7 which will be replaced by a new one – UR – OPA1 – great grandpa of one.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2509, AN ACT designating a part of K-9 highway as the David Mee memorial highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section, by Representative Garber.

HB 2510, AN ACT concerning the prison-made goods act; prohibiting the manufacture or production of manufactured homes or modular homes, by Committee on Commerce and Economic Development.

HB 2511, AN ACT concerning sales taxation; relating to exemptions; over-the-counter drugs; food; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Representatives Goodman, O'Brien, Arpke, Boman, Brown, Collins, Donohoe, Fawcett, Garber, Gonzalez, Gregory, Grosserode, Hildabrand, LeDoux and Rubin.

HB 2512, AN ACT concerning natural gas public utilities; charging of interim rates; amending K.S.A. 66-117 and repealing the existing section, by Committee on Energy and Utilities.

HB 2513, AN ACT designating the Cairn Terrier as the official state dog breed of Kansas, by Representative Trimmer.

HB 2514, AN ACT concerning income taxation; relating to credits; certain registered apprenticeships, by Committee on Taxation.

HB 2515, AN ACT enacting the competitive bid protection act, by Committee on Commerce and Economic Development.

HB 2516, AN ACT concerning water; relating to the Kansas water banking act; amending K.S.A. 2011 Supp. 82a-765 and 82a-767 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2517, AN ACT concerning water; relating to the water right transition assistance program; amending K.S.A. 2011 Supp. 2-1930 and 2-1931 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2518, AN ACT concerning income taxation; relating to credits; Kansas angel investor tax credits; limitations and transferability; amending K.S.A. 2011 Supp. 74-8133 and 74-8134 and repealing the existing sections, by Representative Sloan.

HB 2519, AN ACT concerning expungement; relating to applications for insurance agent license; amending K.S.A. 2011 Supp. 12-4516, 21-6614 and 22-2410 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 22-2410a, by Committee on Insurance.

HB 2520, AN ACT concerning public health care; relating to the interstate health care compact, by Committee on Health and Human Services.

HB 2521, AN ACT concerning civil penalties; relating to certain penalties for violation of laws regulating the sale of alcohol and tobacco, by Committee on Federal and State Affairs.

HB 2522, AN ACT concerning public post secondary education; concerning tuition, fees and residency status; repealing K.S.A. Supp. 2011 76-731a, by Committee on Federal and State Affairs.

HB 2523, AN ACT concerning abortion; amending K.S.A. 65-443 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2502, HB 2503.**

Corrections and Juvenile Justice: **HB 2506.**

Financial Institutions: **HB 2505.**

Insurance: **HB 2507, HB 2508.**

Judiciary: **HB 2504.**

Taxation: **HB 2501.**

Transportation: **HB 2499, HB 2500.**

MESSAGES FROM THE GOVERNOR

January 17, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 12-428 for your information.

EXECUTIVE DIRECTIVE No. 12-428
Authorizing Expenditure of Federal Funds

SAM BROWNBACK
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

COMMUNICATIONS FROM STATE OFFICERS

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report regarding the status of the KBI State Forfeiture Fund.

JANUARY 24, 2012

1715

The complete report is on file and open for inspection in the office of the Chief Clerk.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, January 25, 2012.

Journal of the House

TWELFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 25, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Reps. Donohoe and Suellentrop were excused on excused absence by the Speaker.

Prayer by guest chaplain, The Rev. Dr. Bruce L. Emmert, Senior Pastor, First United Methodist Church of Topeka, and guest of Rep. Tietze:

¹⁴*I am strong, and I offer sensible advice and sound judgment.*

¹⁵*By my power kings govern, and rulers make laws that are fair.*

¹⁶*Every honest leader rules with help from me."*

—Proverbs 8:14-16 (CEV)

Lord our God,

In your word you declare that you offer sensible advice and sound judgment. You declare that by your power those in authority govern and through your wisdom those in office are enabled to make laws that are fair to all the people.

Pour out your spirit on these our elected leaders and fill them with your understanding of justice and your standard of righteousness so that they make sound judgments. Give them a vision of your best for the people who live in our state and give them your wisdom so that they are able to make laws that are fair to all the people.

Give them an extra measure of your grace as they seek to shoulder the burdens of elected office so that they do not grow weary under the weight of their responsibilities. Give them a sense of common purpose and friendship that transcends rural and urban, small town and large city, conservative and liberal for no one understands the weight of elected office except those who serve in that capacity.

With thanksgiving for these men and women I lift up this prayer to you, Lord our God, to the glory of your name.

Amen.

The Pledge of Allegiance was led by Rep. Siegfried.

Kansas Trivia Question – What is the best-known creation of former Forest Service illustrator and Rawlins County resident Redolph Wendelen?

Answer : Smokey the Bear

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Mast are spread upon the Journal:

I am privileged to stand before you today with a winning team. For two years in a row these boys have walked away as State Champions in 8 man football for the State of Kansas. Last year the team outscored their opponents 739 points to 156 with six shutouts before outlasting Hill City 52-44 in a wild championship game. This year they only had one scare, a 50-44 overtime win against Lebo and then went on to beat South Gray to again repeat the title of Division 1 Champions.

I would like to recognize these players as I call their names. Kole Schankie, Collin Kile, Corey McClelland, Mitchell Murphy, Sage Blubaugh, Tanner Bybee, Tyler Williams, Braxton Butler, Zeke Leiser, Braden Livers, Blaine Platt, Ed Alvarez, Sean West, Dallas Thompson, Marcus Ramirez, Gavin Beyer, Owen Reed, Matthew Glazier, Bryan Fankhauser, Dustin Stutesman, Chance Bankson, Willie Derryberry, Kaleb Crane, Nick Young, Matthew Ramirez, Dillon Crane, Christian Drake, Quentin Haas, Bubba Smith, Sven Beitz, Austin Buce, Hayden Serrer, Damian Gutierrez. The Coach Fred McClain; Assistant Coaches: Brett Dannels, Tracy Griffin, Mitch Martin, Caleb Hamilton, the Superintendent/Principal: Ryan Bradbury.

I would like to talk for a minute about the man who has been named 2011 Coach of the Year by the Kansas Coaches Association. Coach McClain had actually moved to Madison to take early retirement from an already successful career of coaching in New Jersey where he was inducted into the New Jersey High School Hall of Fame in 1995. I would like to give a special recognition to Coach McClain for setting a wonderful example of working hard, setting goals and enduring through the tough times to become a champion.

Rep. Mast presented framed House certificates to the players and the coach.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2524, AN ACT concerning continuing care; relating to continuing care contracts; continuing care contract and provider fees; amending K.S.A. 40-2231 and 40-2235 and repealing the existing sections, by Committee on Aging and Long-term Care.

HB 2525, AN ACT concerning the optometry law; amending K.S.A. 65-1509a, 65-1514, 65-1517 and 65-7003 and K.S.A. 2011 Supp. 65-1501, 65-1501a, 65-1505, 65-1509, 65-1518, 65-4101 and 74-1505 and repealing the existing sections, by Committee on Health and Human Services.

HB 2526, AN ACT concerning oil and gas; relating to regulation of hydraulic fracturing; amending K.S.A. 55-152 and repealing the existing section, by Committee on Energy and Utilities.

HB 2527, AN ACT concerning the Kan-ed act; relating to the board, authority to charge fees; amending K.S.A. 2011 Supp. 75-7224 and repealing the existing section,

by Committee on Energy and Utilities.

HB 2528, AN ACT concerning water; relating to stream bank stabilization; multi-purpose small lakes; grant programs; amending K.S.A. 82a-1101, 82a-1102 and 82a-1103 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2529, AN ACT concerning courts; relating to docket and filing fees; amending K.S.A. 2011 Supp. 22-3424 and repealing the existing section, by Committee on Judiciary.

HB 2530, AN ACT concerning sexually violent predators; relating to commitment procedure in a secure facility, transitional release program or conditional release program; amending K.S.A. 2011 Supp. 59-29a07 and repealing the existing section, by Representative M. Holmes.

HB 2531, AN ACT creating the workers compensation and employment security boards nominating committee; amending K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections, by Committee on Commerce and Economic Development.

HB 2532, AN ACT concerning alcoholic beverages; relating to retailer's licenses under the Kansas liquor control act; amending K.S.A. 41-304 and 41-713 and K.S.A. 2011 Supp. 41-102, 41-301, 41-303, 41-310, 41-311, 41-313, 41-317, 41-326 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103, 41-308 and 41-711, by Committee on Federal and State Affairs.

HB 2533, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse; amending K.S.A. 2011 Supp. 38-2223 and repealing the existing section, by Representatives O'Neal, Rubin, Alford, Arpke, Billinger, Calloway, Cassidy, Collins, Crum, DeGraaf, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hedke, Hermanson, Hill, Hoffman, Howell, Huebert, Kelly, Kiegerl, Kleeb, LeDoux, Montgomery, Moxley, O'Hara, Patton, Peck, Pottorff, Ryckman, Scapa, Seiwert, Smith, Suellentrop, Trimmer and K. Wolf.

HB 2534, AN ACT concerning children and minors; relating to reporting of disappearance or death of a child; relating to interference with law enforcement; amending K.S.A. 2011 Supp. 21-5904 and repealing the existing section, by Representatives O'Neal, Alford, Arpke, Billinger, Calloway, Carlin, Cassidy, Collins, Crum, DeGraaf, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hedke, Hermanson, Hill, Hoffman, Howell, Huebert, Kelly, Kerschen, Kiegerl, Kleeb, LeDoux, Montgomery, Mosier, Moxley, O'Hara, Otto, Patton, Peck, Rubin, Ryckman, Scapa, Seiwert, Smith, Suellentrop, Trimmer and K. Wolf.

HB 2535, AN ACT concerning the prisoner review board; updating references and corresponding changes due to the transfer of authority from the Kansas parole board to the prisoner review board; amending K.S.A. 22-3706, 22-3709, 22-3710, 22-3711, 22-3712, 22-3713, 22-3718, 22-3719, 22-3720, 22-3722, 22-3726, 22-4111, 60-4305, 74-7320, 74-7321, 74-9102 and 75-5202 and K.S.A. 2011 Supp. 12-4516, 19-4804, 21-6603, 21-6606, 21-6609, 21-6614, 21-6803, 22-3701, 22-3717, 22-3728, 22-3729, 22-4701, 59-29a02, 74-4911f, 74-9101, 75-4318, 75-4319, 75-5210a, 75-5217, 75-5266, 77-421 and 77-603 and repealing the existing sections; also repealing K.S.A. 22-3707a and 22-3708 and K.S.A. 2011 Supp. 22-3707, by Committee on Corrections and Juvenile Justice.

HB 2536, AN ACT concerning the revised Kansas code for care of children; relating to grandparents; legislative access; amending K.S.A. 2011 Supp. 38-2205, 38-2212, 38-

2213, 38-2232, 38-2242, 38-2243, 38-2248, 38-2252, 38-2255, 38-2258, 38-2259, 38-2260, 38-2264, 38-2270, 38-2272 and 38-2275 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 38-2255b, by Committee on Children and Families.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2513, HB 2516, HB 2517.**

Commerce and Economic Development: **HB 2510, HB 2515.**

Energy and Utilities: **HB 2512.**

Federal and State Affairs: **HB 2522.**

Health and Human Services: **HB 2520.**

Insurance: **HB 2519.**

Judiciary: **HB 2521, HB 2523.**

Taxation: **HB 2511, HB 2514, HB 2518.**

Transportation: **HB 2509.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6003—

By Representatives O'Neal, Arpke, Aurand, Brunk, Garber, Goodman, Gregory, Hedke, Huebert, Kiegerl, Kinzer, O'Hara, Rhoades and Scapa

A RESOLUTION designating January 22 to 28, 2012 to be school choice week in Kansas.

WHEREAS, The House of Representatives of the state of Kansas recognizes that all children in Kansas should have the right to the highest quality schools possible; and

WHEREAS, Citizens across the state of Kansas agree that improving the quality of education in Kansas and expanding access to highly effective schools is an issue of importance to the house of representatives of the state of Kansas; and

WHEREAS, The House of Representatives of the state of Kansas recognizes that the critical role that an effective and accountable system of education plays in preparing all children in Kansas to be successful in a global economy; and

WHEREAS, The House of Representatives of the state of Kansas recognizes that Kansas has a multitude of high-quality public schools, public charter schools and nonpublic schools; and

WHEREAS, The House of Representatives of the state of Kansas recognizes the many high-quality teaching professionals in public, private and charter schools across Kansas who are committed to educating children; and

WHEREAS, The vital cause of education reform is one that transcends ideology and political party affiliation; and

WHEREAS, Research demonstrates conclusively that providing children with multiple schooling options improves academic performance: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That January 22 to 28, 2012 be designated school choice week in the state of Kansas and calls this observance to the attention of all of our citizens; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall

send an enrolled copy of this resolution to Representative O'Neal.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Carlson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Carlson, Committee of the Whole report, as follows, was adopted: Recommended that committee report to **HB 2412** be adopted; and the bill be passed as amended.

Committee report to **HB 2436** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Government Efficiency** recommends **HB 2453** be amended on page 1, in line 30, by striking "secretary" and inserting "governor"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2273** be amended on page 1, in line 7, by striking "Frankfurt"; and inserting "Frankfort"; in line 8, by striking "Frankfurt"; and inserting "Frankfort"; in line 9, after "II" by inserting "Memorial"; in line 11, by striking "Frankfurt"; and inserting "Frankfort"; also in line 11, after "II" by inserting "Memorial"; in line 18, by striking "2010"; and inserting "2011"; in line 20, by striking "Frankfurt"; and inserting "Frankfort"; in line 29, by striking "2010"; and inserting "2011"; in the title, in line 1, by striking "Frankfurt"; and inserting "Frankfort"; and also in line 1, after "II" by inserting "Memorial"; in line 2, by striking "2010"; and inserting "2011"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2537, AN ACT concerning the revised Kansas code for care of children; relating to legislative access; amending K.S.A. 2011 Supp. 38-2212 and 38-2213 and repealing the existing sections, by Committee on Children and Families.

HB 2538, AN ACT concerning children in need of care; relating to reimbursement costs of care for child in a grandparent's custody; amending K.S.A. 2011 Supp. 38-2255 and repealing the existing section; also repealing K.S.A. 2011 Supp. 38-2255b, by Committee on Children and Families.

HB 2539, AN ACT concerning children; relating to grandparent custody, visitation and residency, by Committee on Children and Families.

HB 2540, AN ACT concerning children in need of care; relating to runaways; amending K.S.A. 2011 Supp. 38-2231 and repealing the existing section, by Committee on Children and Families.

HB 2541, AN ACT concerning labor and employment; relating to leave for school-related educational activities, by Committee on Children and Families.

HB 2542, AN ACT concerning citizen review boards; duties and powers; appointment of; amending K.S.A. 38-1808 and K.S.A. 2011 Supp. 38-2202, 38-2207,

38-2210, 38-2213, 38-2255 and 38-2264 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 38-2255b, by Committee on Children and Families.

HB 2543, AN ACT concerning school districts; creating the autism scholarship program; relating to the administration thereof; amending K.S.A. 2011 Supp. 72-6407 and repealing the existing section, by Committee on Children and Families.

HB 2544, AN ACT concerning cities; relating to abandoned property and qualifications thereof; amending K.S.A. 2011 Supp. 12-1750 and repealing the existing section, by Committee on Local Government.

HB 2545, AN ACT concerning retirement and pensions; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, benefits and requirements related thereto for certain new members and existing members; relating to benefits and contributions; election for certain existing members; elimination of cap on increase in employer contributions and service credit purchases; amending K.S.A. 2011 Supp. 74-4914d and 74-4920 and repealing the existing sections; also repealing K.S.A. 74-4919a, 74-4919g, 74-4919i, 74-4919k, 74-4919n, 74-4919p, 74-4919q, 74-4919r and 74-4919s and K.S.A. 2010 Supp. 74-4914d, as amended by section 1 of chapter 98 of the 2011 Session Laws of Kansas and 74-4920, as amended by section 4 of chapter 98 of the 2011 Session Laws of Kansas and K.S.A. 2011 Supp. 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o, 74-4919u and 74-4919v, by Committee on Pensions and Benefits.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6004—

By Representative Loganbill

A RESOLUTION proclaiming and celebrating the 125th anniversary of the founding of Bethel College, North Newton, Kansas

WHEREAS, Bethel College was founded on May 11, 1887, by members of the Newton community and the Kansas Conference of Mennonites with the goal of educating good citizens and passing on the Christian faith, named "Bethel" for the Hebrew Bible term meaning "house of God"; and

WHEREAS, Bethel College was incorporated by the State of Kansas on May 23, 1887, when the charter signed by its 33 founders was submitted to the Secretary of State; and

WHEREAS, Bethel College was the first institution of higher learning to be established under the auspices of the Mennonite denomination in North America; and

WHEREAS, Bethel College honors with gratitude the vision of its three founding fathers, prominent leaders in the City of Newton and Harvey County; David Goerz, John J. Krehbiel and Bernhard Warkentin; and of its first president, Cornelius H. Wedel; and

WHEREAS, Bethel College has, through its history, educated and graduated citizens of and leaders for Newton, North Newton, Harvey County, the state of Kansas, the nation and the world; and

WHEREAS, Bethel College is the only Kansas private college to be listed by Forbes.com in "America's Best Colleges 2011-12," is the highest-ranking Kansas institution in the Washington Monthly college guide for 2011-12, and consistently

appears in the top tier of U.S. News & World Report's annual college rankings; and

WHEREAS, Bethel College is first in the state and in the top 100 nationally in percentage of bachelor's degree graduates who go on to earn Ph.D. degrees; and

WHEREAS, Bethel College is one of only a handful of colleges or universities nationwide to offer its students a four-year graduation guarantee; and

WHEREAS, Bethel College is today a thriving liberal arts institution known for academic excellence, character and service: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we do hereby proclaim the year 2012 as Bethel College's quasiquicentennial year. We celebrate its rich legacy, consistent progress and wide-ranging achievements and applaud its continued growth. We recognize Bethel College as the first Mennonite college in North America and as a distinguished institution of higher learning dedicated to the liberal arts.

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the President of Bethel College and to the Chairman of the board of directors of Bethel College.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, January 26, 2012.

Journal of the House

THIRTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 26, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 122 members present.

Rep. Kelley was excused on legislative business.

Reps. Donohoe and Suellentrop were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,
 As a pastor I often say,
 lost, broken, hurting people matter to God;
 therefore they should matter to us.
 When I put this statement in the context of this legislature,
 whether people are
 living in affluent neighborhoods of our large cities,
 or under a bridge on the streets;
 employers trying to make the business succeed,
 or employees trying to hang on to their jobs;
 individuals burning the candle at both ends to make ends meet,
 or those with no initiative demanding handouts;
 those who have the ability and means to gain an education,
 or those who lack the means by which to better themselves;
 those who obey the law,
 or those who disobey the law;
 those who want a say and vote in elections,
 or those who want a say but don't vote—
 all of these people matter to You,
 and, therefore, should matter to us.
 So grant wisdom, discernment,
 understanding and common sense
 in order to pass legislation that reflects
 that all these Kansans matter to us.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. S. Gatewood.

Kansas Trivia Question – When Dwight D. Eisenhower was serving at Fort Leavenworth during World War I, he ordered one of his soldiers to spend less time on his writing. Who was the enlistee who would rather write than fight?

Answer : F. Scott Fitzgerald

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Hill, on behalf of Rep Mast, are spread upon the Journal:

Today I am pleased to be joined by Representative Mast and to have the opportunity to introduce the new Emporia State University President, Dr. Michael Shonrock. Dr. Shonrock who is a native of Illinois is actually coming back to Kansas. After graduating from Western Illinois Dr. Shonrock came to Pittsburg State University where he was a staff member and completed his Ed.S. degree. After receiving his degree at PSU Dr. Shonrock moved to Lawrence and KU where he received his PhD. Dr. Shonrock left KU and joined the administration at Texas Tech where he has served in a variety of positions with increasing responsibility for the last 20 years.

When the Presidency at Emporia State became vacant an extensive search was conducted and having had the opportunity to meet and interact with all four of the finalists, I know the pool of talent from which the Regents had to choose the new President was exceptional.

Dr. Shonrock assumed his duties at ESU on January 3 and he has already quite clearly demonstrated his intellect, his bias for action, his vision, his interest in community involvement and the depth of his experience in public higher education, as well as in university strategic planning and enrollment management.

Above all President Shonrock has exhibited his commitment to the students he serves and his infectious enthusiasm.

We have been delighted to welcome Dr. Shonrock and his lovely wife Karen to Emporia and I ask you now to join me in a warm Kansas House of Representatives welcome to new Emporia State University President, Michael Shonrock.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2546, AN ACT concerning the Kansas military board; relating to the conveyance of certain property, by Representative Garber.

HB 2547, AN ACT concerning the promoting employment across Kansas act; pertaining to qualifications for benefits under the act; Kansas small businesses; amending K.S.A. 2011 Supp. 74-50,211 and 74-50,212 and repealing the existing sections, by Committee on Taxation.

HB 2548, AN ACT concerning personal property taxation; relating to delinquent taxes; partial payment of certain delinquent personal property taxes; poverty affidavits; amending K.S.A. 79-2024 and repealing the existing section; also repealing K.S.A. 79-2102, by Committee on Local Government.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Aging and Long-term Care: **HB 2524**.

Appropriations: **HB 2527**.

Children and Families: **HB 2537, HB 2542**.

Commerce and Economic Development: **HB 2531, HB 2532, HB 2541**.

Corrections and Juvenile Justice: **HB 2529, HB 2534, HB 2535**.

Education: **HB 2543**.

Education Budget: **HR 6003**.

Energy and Utilities: **HB 2526, HB 2528**.

Health and Human Services: **HB 2525**.

Judiciary: **HB 2530, HB 2533, HB 2536, HB 2539, HB 2540**.

Local Government: **HB 2544**.

Pensions and Benefits: **HB 2545**.

Social Services Budget: **HB 2538**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2324** from Committee on Federal and State Affairs and referral to Committee on Corrections and Juvenile Justice.

COMMUNICATIONS FROM STATE OFFICERS

From Members of the Kansas Employment First Oversight Commission, Annual Report, January 23, 2012.

The complete report is on file and open for inspection in the office of the Chief Clerk.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, pursuant to House Rule 2307, the following bills were stricken from the Calendar:

HB 2091, HB 2173; Sub. HB 2220; HB 2317, HB 2322, HB 2331, HB 2337, HB 2360, HB 2368, HB 2393; H. Sub. for SB 34.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2412, AN ACT concerning cities; relating to dissolution, certain cities, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox,

Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Donohoe, Kelley, Suellentrop.

The bill passed as amended.

HB 2436, AN ACT concerning public utilities; relating to the issuance of a certificate of public convenience; amending K.S.A. 66-131 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore.

Present but not voting: None.

Absent or not voting: Donohoe, Kelley, Suellentrop

The bill passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long-term Care** recommends **HB 2424** be amended on page 2, in line 5, after "individuals" by inserting ", except that this restriction shall not apply to individuals determined seriously emotionally disturbed by a licensed community mental health center"; in line 15, before "its" by inserting "July 1, 2013, and"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **HB 2451** be passed.

Committee on **Health and Human Services** recommends **HB 2428**, **HB 2490** be passed.

Committee on **Taxation** recommends **HB 2403** be amended on page 1, in line 6, by striking "2010"; and inserting "2011"; in line 25, by striking "five"; and inserting "ten"; in line 28, by striking ", and includes structures"; by striking all in lines 29 and 30; in

line 31, by striking "home is located";

On page 2, in line 40, by striking "2010"; and inserting "2011";

On page 1, in the title, in line 2, by striking "2010"; and inserting "2011"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2549, AN ACT concerning preservation of public records; relating to electronic records; amending K.S.A. 45-402, 45-403, 45-404, 45-405, 45-408 and 75-104 and repealing the existing sections, by Committee on Judiciary.

HB 2550, AN ACT concerning alcoholic beverages; amending K.S.A. 41-2640 and 41-2722 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2551, AN ACT concerning wildlife, parks and tourism; relating to vessel fees; amending K.S.A. 2011 Supp. 32-1172 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2552, AN ACT concerning schools; relating to superintendents; amending K.S.A. 72-8202b and repealing the existing section, by Representatives LeDoux, Boman, DeGraaf, Garber, Goodman, Gordon, Grange, Hayzlett, Hedke, Howell, McLeland, O'Hara, Peck, Powell, Seiwert and Vickrey.

HB 2553, AN ACT concerning representation by the attorney general, by Committee on Appropriations.

HB 2554, AN ACT enacting the Kansas roofing contractor registration act, by Committee on Insurance.

HB 2555, AN ACT concerning certain recreation commissions, by Representative O'Neal.

HB 2556, AN ACT concerning traffic regulation; designating certain highway segments as safety corridors; establishing the traffic safety corridor fund; amending K.S.A. 2011 Supp. 8-2118 and 74-7336 and repealing the existing sections, by Committee on Transportation.

HB 2557, AN ACT concerning commercial vehicles; requiring an annual commercial vehicle fee; amending K.S.A. 79-306d and K.S.A. 2011 Supp. 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04, 79-1439, 79-3425i and 79-5101 and repealing the existing sections, by Committee on Transportation.

HB 2558, AN ACT concerning workers compensation; pertaining to the administration of the state workers compensation self-insurance fund; pertaining to the state workplace health and safety program; pertaining to certain time limitation on filing; pertaining to duties of the secretary of labor; amending K.S.A. 44-512, 44-557, 44-578 and 74-712 and K.S.A. 2011 Supp. 2-224a, 44-523, 44-575 and 44-577 and repealing the existing sections, by Committee on Commerce and Economic Development.

HB 2559, AN ACT concerning public school safety; amending K.S.A. 72-89b03 and 72-89b04 and repealing the existing sections, by Representatives Smith, Cassidy, Meigs, Mesa, Montgomery and Rubin.

HB 2560, AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; sales tax rate and distribution of revenue; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208, 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,196, 79-32,197, 79-32,197a, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,211, 79-32,212, 79-32,222, 79-3603, 79-3620, 79-3703, 79-3710, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176, 79-32,182, 79-3634, 79-3636 and 79-3638 and K.S.A. 2011 Supp. 74-8131, 74-8132, 74-8133, 74-8134, 74-8135, 74-8136, 74-8137, 79-32,111a, 79-32,120, 79-32,202, 79-32,205, 79-32,213, 79-32,242, 79-3633, 79-3635, 79-3637 and 79-3639, by Committee on Taxation.

HB 2561, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; amending K.S.A. 2011 Supp. 12-17,179 and repealing the existing section, by Committee on Taxation.

On motion of Rep. Siegfried, the House adjourned until 10:30 a.m., Friday, January 27, 2012.

Journal of the House

FOURTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 27, 2012, 10:30 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 111 members present.

Rep. M. Holmes was excused on verified illness.

Reps. Cassidy, Montgomery and Shultz were excused on legislative business.

Reps. Donohoe, Huebert, Kiegerl, Kleeb, Mesa, Mosier, Peterson, Suellentrop, Weber and B. Wolf were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear God—
Although what we do here in this session
has much more importance and lasting effect
than any sporting event,
this prayer of an athlete
to play fair in the game of life,
is a prayer to guide us in our life and work here.
"...in the struggle that goes on through life
we ask for a field that is fair,
a chance that is equal with all the strife,
the courage to strive and to dare;
and if we should win, let it be by the code,
with our faith and our honor held high;
and if we should lose, let us stand by the road
and cheer as the winners go by."
In Christ's Name I pray, Amen.

(Knut Rockne, Prayer to Play Fair in the Game of Life)

The Pledge of Allegiance was led by Rep. Le Doux.

Kansas Trivia Question – Who concluded his radio sports show with the axiom, "Clean sports, next to religion, is the greatest thing on earth"?

Answer: Phog Allen

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2562, AN ACT concerning public health; relating to emergency care or assistance at the scene of an emergency or accident, by Committee on Judiciary.

HB 2563, AN ACT designating the annual Kansas wheat festival held in Wellington, Kansas as the official state wheat festival, by Representative Wetta.

HB 2564, AN ACT enacting the massage therapist licensure act; providing for powers, duties and functions of the state board of healing arts, by Committee on Health and Human Services.

HB 2565, AN ACT concerning health care predetermination requests for information relating to health insurance benefits coverage, by Committee on Health and Human Services.

HB 2566, AN ACT concerning school districts; relating to the school district capital improvements fund; amending K.S.A. 2011 Supp. 75-2319 and repealing the existing section, by Committee on Education.

HB 2567, AN ACT concerning crimes and punishments; relating to aggravated endangering a child; amending K.S.A. 2011 Supp. 21-5419 and 21-5601 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2568, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2011 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907, 22-4908 and 22-4909 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 22-4902a and 22-4906a, by Committee on Corrections and Juvenile Justice.

HB 2569, AN ACT concerning public records; relating to legislative review of exceptions to disclosure; amending K.S.A. 2011 Supp. 45-229 and repealing the existing section, by Committee on Judiciary.

HB 2570, AN ACT concerning taxation; relating to food sales tax refunds and homestead property tax refunds; certain confined persons; amending K.S.A. 79-3632 and 79-4505 and K.S.A. 2011 Supp. 79-3633 and 79-4502 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2551**.

Commerce and Economic Development: **HB 2554, HB 2558**.

Education: **HB 2552, HB 2559**.

Federal and State Affairs: **HB 2550**.

Judiciary: **HB 2549, HB 2553**.

Local Government: **HB 2546, HB 2548, HB 2555**.

Taxation: **HB 2547, HB 2560, HB 2561**.

Transportation: **HB 2556, HB 2557**.

COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Director, State Employee Health Benefit Plans, Division of Health Care Finance, Kansas Department of Health and Environment, in compliance with K.S.A. 75-6509, 2011 Report of the Kansas State Employees Health Care Commission (compact disc).

From REAP (Kansas Economic Area Partnership) of South Central Kansas, Kansas Affordable Airfares Program Fiscal Year 2012 Financial Status Report.

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

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 8, by Representative Worley, congratulating Daniel James Camacho on attaining the rank of Eagle Scout;

Request No. 9, by Representative Hineman, congratulating Jacob Hargitt on attaining the rank of Eagle Scout;

Request No. 10, by Representative Hineman, congratulating Jordon Hargitt on attaining the rank of Eagle Scout;

Request No. 11, by Representative Hineman, congratulating Kevin Balluch on attaining the rank of Eagle Scout;

Request No. 12, by Representative Hineman, congratulating Caden Glick on attaining the rank of Eagle Scout;

Request No. 13, by Representative Hineman, congratulating Scott Ochs on attaining the rank of Eagle Scout;

Request No. 14, by Representative Hineman, congratulating Zach Nemechek on attaining the rank of Eagle Scout;

Request No. 15, by Representative Hineman, congratulating Edward Machen on attaining the rank of Eagle Scout;

Request No. 16, by Representative Mast, congratulating Northern Heights High School on receiving the Governor's Achievement Award, honoring top performing schools in the state;

Request No. 17, by Representative Bowers, congratulating Ann Frack for receiving the National Citizenship Education Teacher Award from the VFW and Auxiliary Post 3201;

Request No. 18, by Representative Peck, congratulating Charles and DeAnna Huckle on celebrating their 50th wedding anniversary on February 3, 2012;

Request No. 19, by Representative Peck, congratulating Larry and Betty Corle on celebrating their 50th wedding anniversary on January 14, 2012;

Request No. 20, by Representative Sloan, congratulating Betty Jo Miller on celebrating her 90th birthday on April 12, 2012;

Request No. 21, by Representative Mast, congratulating Fred McClain on being awarded the 2011 Coach of the Year by the Kansas Coaches Association;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, January 30, 2012.

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 30, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 120 members present.

Reps. Dillmore, Mosier, Peterson, Schwartz and Trimmer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,
In the words of Mother Theresa—
“People are often unreasonable, irrational, and self-centered.
Forgive them anyway.
If you are kind, people may accuse you of selfish, ulterior motives.
Be kind anyway.
If you are honest and sincere people may deceive you.
Be honest and sincere anyway.
If you find serenity and happiness, some may be jealous.
Be happy anyway.
The good you do today, will often be forgotten.
Do good anyway.
Give the best you have, and it will never be enough.
Give your best anyway.
In the final analysis, it is between you and God.
It was never between you and them anyway.”
Whatever tasks these leaders face today,
help them to do it all as unto You.
In Your Son's Name, I pray, Amen.
(Mother Theresa – on wall of room)

The Pledge of Allegiance was led by Rep. Ryckman.

Kansas Trivia Question: For many years the two tallest buildings in the world were designed by native Kansans. Wamego-born Walter B. Chrysler's, Chrysler Building was the second tallest. What was the tallest which was co-designed by Lawrence resident Paul Starrett?

Answer: The Empire State Building

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2571, AN ACT designating limestone as the official state rock, by Representatives Carlin and Mosier.

HB 2572, AN ACT concerning the adjutant general; relating to the funding for disasters; KUSF; insurance fees and premium taxes; creating the disaster reimbursement fund; amending K.S.A. 2011 Supp. 66-2008 and 66-2010 and repealing the existing sections, by Committee on Appropriations.

HB 2573, AN ACT concerning health care; enacting the KanCare accountability act, by Representative Ward.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2563**.

Corrections and Juvenile Justice: **HB 2567**, **HB 2568**.

Education Budget: **HB 2566**.

Health and Human Services: **HB 2564**.

Judiciary: **HB 2562**, **HB 2569**.

Taxation: **HB 2570**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill, appearing on the Calendar as "To Be Referred," was referred to committee as indicated:

Insurance: **HB 2565**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2559** from Committee on Education and referral to Committee on Corrections and Juvenile Justice.

MESSAGES FROM THE GOVERNOR

January 26, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-01 for your information.

EXECUTIVE ORDER No. 12-01

Conditional and Temporary Relief from Motor Carrier Rules and Regulations

SAM BROWNBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long-term Care** recommends **HB 2471** be amended on page 2, in line 1, by striking "shall select one name from" and inserting "may consider"; in line 7, by striking "shall select one name from" and inserting "may consider"; in line 14, by striking "shall select one name from" and inserting "may consider"; by striking all in lines 22 and 23 and inserting "(D) no such members shall have had any published disciplinary action taken by the board of adult care administrators against such members."; in line 34, before "As" by inserting "On and after the effective date of this act,"; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2298**, **HB 2410** be passed.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

HB 2574, AN ACT concerning the Kansas highway patrol; allowing the superintendent to charge and collect fees for certain services, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6005**—

By Committee on Agriculture and Natural Resources

A RESOLUTION recognizing the Commissioner of Forestry and the Kansas Forest Service, Kansas State University for providing 125 years of dedicated forestry services to the owners, managers and stewards of the state's forest, trees, natural resources and related industries.

WHEREAS, Kansas established the Commissioner of Forestry Office in 1887 to procure and manage land for forest tree nursery production and to develop public interest in forestry practices; and

WHEREAS, The Commissioner of Forestry's successor office, the Kansas Forest Service, Kansas State University, has 16 decreed powers and duties; and

WHEREAS, Fulfillment of the Kansas Forest Service's decreed powers and duties provide an annual economic impact valued at over \$26 million; and

WHEREAS, The Agency's annual services include:

Forestry training to over 1000 forest and windbreak landowners, and timber harvesters; helping over 300 forest landowners professionally plant and manage in excess of 5,000 acres of timber;

protecting and reforesting stream corridors to slow sediment deposition in water supply reservoirs, improving water quality and quantity;

helping interested forest and ranchland landowners qualify for over \$100,000 of forestry and windbreak financial assistance through USDA conservation programs;

promoting the harvesting, marketing and utilization of wood products to Kansas landowners, timber harvesters, locally owned sawmills and other wood processing plants;

distributing over 350,000 tree seedlings to 2,400 property owners interested in residential energy savings, livestock protection and improved livestock feed efficiency, wind erosion control, wildlife habitat, Christmas trees, timber products and stream bank erosion control;

helping over 150 communities, home to 85% of the state's population, professionally manage their public tree resources through the local allocation of over \$16 million for tree planting, care and hazard tree removals;

creating jobs and improving the professional care of the state's community forest by training 40 persons with sufficient credentials to become certified arborists;
helping over 500 rural fire districts train volunteers and acquire excess military equipment, which provide wildfire protection services to over 500 rural communities and 46 million acres of land;

helping the Kansas Department of Agriculture survey and monitor forest insects and diseases and, where necessary, establish protection quarantines; and
monitoring, in cooperation with the USDA Forest Service, the size, condition and health of the state's forests through the bi-decadal conduct of state wide forest inventory and analyses: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Kansas Forest Service, Kansas State University, is hereby commended for 125 years of visionary service and passionate dedication to the state's forest, tree, natural resources and related industries, as well as to the owners, managers and stewards of these resources and industries for the environmental, economic and social well-being of the state; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President, Provost, Dean of the College of Agriculture, Associate Dean of Research, Associate Dean of Extension, Associate Dean of Academics and the Head of the Department of Horticulture, Forestry and Recreation Resources of Kansas State University and the Board of Regents.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, January 31, 2012.

Journal of the House

SIXTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 31, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Prayer by guest chaplain, the Rev. Matt Bachtold, Delaware Baptist Church of Fairview, and guest of Rep. Garber :

Lord, Maker of Heaven and earth, You who's Spirit fills every inch of this great state of Kansas. I humbly call upon you today and ask that by your mercy you would bring prosperity and wisdom to this House of Representatives.

Your Word says in Romans 13:1 that you establish all authority on Earth, and that no authority exists without you, so I declare your Lordship over this House today.

May your name be honored by the actions of its members, may they call out to you for wisdom, and would you instill in them the fortitude to stand up for what is right and good, protecting the voice of those who cannot speak for themselves.

As a pastor, I ask you to forgive us, your body for being complacent and self-seeking in our obedience of you, allowing ourselves to focus on dead religious activities instead of doing your work in helping the poor, causing this assembly to believe it must act in our stead. Father, forgive us and bring order to this great state.

Will you protect this house and this state's government from men or women who are corrupt and self-serving. If there are any such persons, please expose and remove them so that your blessings can rest upon us.

Lord, please guide this state and its citizens into prosperity in every area of their lives.

In the powerful name of Jesus, Amen and Amen

The Pledge of Allegiance was led by Rep. Kiegerl.

Kansas Trivia Question – What versatile artist, whose interpretations of western life has defined the concept for generations, operated a sheep ranch south of Peabody in the

late 1800s?

Answer: Frederic Remington

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2575, AN ACT enacting the state government immigration accountability act, by Committee on Federal and State Affairs.

HB 2576, AN ACT concerning immigration; amending K.S.A. 2011 Supp. 21-5918 and 22-2802 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2577, AN ACT concerning the e-verify program and the use thereof by business and governmental entities; penalties, by Committee on Federal and State Affairs.

HB 2578, AN ACT concerning immigration; relating to the enforcement of federal immigration laws; concerning the determination of citizenship; notification; exchange of information; indemnification; implementation; cooperative agreements, by Committee on Federal and State Affairs.

HB 2579, AN ACT concerning unborn children; declaring that life begins at conception, by Committee on Federal and State Affairs.

HB 2580, AN ACT concerning public charter schools; creating the Kansas public charter schools act; amending K.S.A. 2011 Supp. 72-6407 and repealing the existing section; also repealing K.S.A. 72-1903, 72-1904, 72-1908, 72-1909 and 72-1911 and K.S.A. 2011 Supp. 72-1906, 72-1907 and 72-1910, by Representatives Garber, Goodman, Gregory, O'Brien and Otto.

HB 2581, AN ACT concerning deductions from wages; prohibiting deductions for political purposes; amending K.S.A. 2011 Supp. 44-319 and repealing the existing section, by Committee on Commerce and Economic Development.

HB 2582, AN ACT relating to the office of the securities commissioner of Kansas; relating to duties and establishing certain special revenue funds and prescribing functions therefor; employees of the securities commissioner; relating to the Kansas uniform securities act; amending K.S.A. 17-12a101, 17-12a102 and 17-12a410 and K.S.A. 2011 Supp. 17-12a601 and 75-6301 and repealing the existing sections, by Committee on Commerce and Economic Development.

HB 2583, AN ACT concerning the Kansas offender registration act; relating to offender registrant admittance to or residence within an adult care home; amending K.S.A. 2011 Supp. 22-4905 and 39-935 and repealing the existing sections, by Committee on Aging and Long-term Care.

HB 2584, AN ACT concerning the regulation of knives; relating to certain criminal statutes; amending K.S.A. 2011 Supp. 21-6301 and 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2585, AN ACT concerning property taxation; relating to the appraisal of property; appeals; changes; clerical errors; listing of vessels; amending K.S.A. 79-304 and 79-1475 and K.S.A. 2011 Supp. 74-2433f, 79-1448, 79-1460, 79-1609, 79-1701a and 79-1702 and repealing the existing sections, by Committee on Taxation.

HB 2586, AN ACT concerning property taxation; relating to collection and cancellation of taxes; protesting payment of taxes; amending K.S.A. 2011 Supp. 79-2005 and repealing the existing section, by Representatives LeDoux, Brookens,

Goodman, Grant, Gregory, Grosserode, Hedke, Mesa, O'Hara, Peck, Rubin, Smith and Williams.

HB 2587, AN ACT concerning real property; relating to conservation easements; amending K.S.A. 58-3811 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2588, AN ACT concerning water; relating to debt authorization for water districts; amending K.S.A. 19-3553 and K.S.A. 2011 Supp. 82a-619 and repealing the existing sections, by Committee on Energy and Utilities.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2571**.

Appropriations: **HB 2572**, **HB 2574**.

Health and Human Services: **HB 2573**.

COMMUNICATIONS FROM STATE OFFICERS

From John W. Mitchell, Director, Division of Environment, Kansas Department of Health and Environment, reports of the following bureaus: Bureau of Air, Bureau of Environmental Remediation, Bureau of Waste Management, Bureau of Water.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6006**—

By Representatives O'Neal, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION in memory of Representative Rocky Fund.

WHEREAS, Representative Rocky Fund, 60, of Hoyt, died April 28, 2011. A Kansas legislator, he was elected to the House of Representatives starting in 2006 and was serving his third term; and

WHEREAS, Representative Fund was born August 5, 1950, in Sabetha, Kansas, to

Marty and Aleck Fund. He attended school in Goff, Kansas and graduated from Wetmore High School. He later completed a bachelor's degree at Wichita State University. He was a specialist in equine foot care, also known as a farrier, in Wichita and northeast Kansas. He worked at Learjet before earning a farrier's license from Oklahoma Farrier's College; and

WHEREAS, Representative Fund is remembered for his commitment to his constituency from House district number 50, for serving as a member of the agriculture and natural resources committee, federal and state affairs committee, joint committee on special claims against the state, committee on energy and natural resources and as the vice chairperson of the committee on government efficiency and fiscal oversight; and

WHEREAS, Representative Fund proudly served in the United States military during the Vietnam era. After graduation, he joined the air force and was stationed at McConnell Air Force Base in Wichita and served in southeast Asia during the Vietnam war; and

WHEREAS, Representative Fund leaves a wife, Linda; a daughter, Jesse Davis and her husband Chris; a son, Matt, and his wife Angalee Van Meter and a granddaughter, Layla Fund.

WHEREAS, A lifelong Kansan, representative Fund was very involved in his community and was committed to education and water issues. He was an Optimist, a member of the American Legion and Veterans of Foreign Wars. He was also a teacher and coach at Royal Valley and Jackson Heights for 21 years. He served on the Rural Water District #3 Jackson County Water Board for 16 years before becoming its District Manager for 10 years: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we extend our deepest sympathy to the family and friends of Rocky Fund and thank him for the years of public service he gave to his state and community; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Linda Fund, Jesse Dais and Matt Fund.

On motion of Rep. Siegfried, the House resolved into Committee of the Whole with Rep. Schwab in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Schwab, Committee of the Whole report as follows, was adopted:

Recommended that **HB 2490, HB 2428** be passed.

Committee report to **HB 2273** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 191** be adopted; also, on motion of Rep. Schroeder, be amended on page 1, in line 8, by striking all after "(a)"; by striking all in lines 9 through 36, and inserting the following, "The secretary of agriculture may fix, charge and collect fees for providing laboratory testing of samples from other states upon request. The fees shall be fixed in order to recover all or part of the costs incurred to provide the services and any other necessary and incidental expenses incurred in conjunction with such laboratory testing.

(b) The secretary of agriculture shall remit all moneys received by or for the secretary from fees collected under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the

credit of the laboratory testing services fee fund.

(c) The secretary of agriculture may adopt rules and regulations to establish fees and to implement and administer the provisions of this section for such laboratory testing.";

And by renumbering sections accordingly;

In line 1, in the title, by striking all after "ACT"; in line 2, by striking all before "Kansas" and inserting "concerning the"; in line 3, by striking all after the first "certain"; by striking all in line 4; in line 5, by striking all before the period, and inserting "fees; creating the laboratory testing services fee fund"; and **H Sub for SB 191** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2502** be amended on page 1, in line 8, after "permit" by inserting "or deny"; in line 16, by striking "10%" and inserting "5%"; in line 21, by striking "countywide" and inserting "state, county or special"; in line 30, by striking "10%" and inserting "5%";

On page 2, in line 20, after "facility?" by inserting "Such facility shall be in compliance with rules and regulations of the Kansas department of health and environment, the Kansas department of agriculture and any other state agency.";

On page 3, in line 40, after "permit" by inserting "or deny";

On page 4, in line 5, by striking "10%" and inserting "5%"; in line 10, by striking "countywide" and inserting "state, county or special"; in line 19, by striking "10%" and inserting "5%";

On page 5, in line 2, after "facility?" by inserting "Such facility shall be in compliance with rules and regulations of the Kansas department of health and environment, the Kansas department of agriculture and any other state agency."; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2456** be passed.

Committee on **Energy and Utilities** recommends **HB 2446** be amended on page 1, in line 34, by striking "that has a"; in line 35, by striking "nameplate rating of 10 megawatts or less"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

HB 2589, AN ACT concerning institutions of higher learning and student athletes, by Representative McCray-Miller.

PERSONAL PRIVILEGE

I would like to take a minute to introduce my newest grandson, Michael Joseph Weninger, who is 6 weeks old. Born December 16th, he plans on taking my place. Already, he doesn't like being here. Now, however, your applause seems to settle him down.

Journal of the House

SEVENTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 1, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
help our leaders today to remember
they lead as an expression of who they are,
yet they must always be more
than the leadership role they play.
People may see them in terms of
the visible leadership role
which You have entrusted to them,
but only You know who they really are inside.
Their integrity as a person—
and as a leader—
depends on seeing themselves
and what they do as You see them.
Help them to remember
“Man looks at the outward appearance,
But the Lord looks at the heart.”
Today I ask that
in the midst of all their responsibilities,
You guard their hearts.
In Christ's Name I pray, Amen.
(1 Samuel 16:7, NIV)

The Pledge of Allegiance was led by Rep. Mah.

Kansas Trivia Question – Which town boasts the oldest surviving courthouse in the state?

Answer: Cottonwood Falls in Chase County, whose courthouse was built between 1871 and 1873

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Mast are spread upon the Journal:

In 2010, the Olpe Lady Eagles were playing St. John Hudson in a Championship match and lost in a very close set 23 to 25.

In 2011 the Olpe Lady Eagles were once again in the championship game and beat Lebo to be crowned Champions in Class 2A State Volleyball.

Two of the team members were chosen Class 2A All Tournament Team. I will ask them to be recognized. Elena Flott, a Sophomore and Janae Haag, a Junior. The coaches are Marilyn Stueve and Staci Garriott. Players are: Cara Garretson, Kayla McDougald, Kendyl McDougald, Marah McIlvain, Emmy Redeker, Taylor Redeker, Ashlyn Spellman, Sarah Wendling, Mindy Woods and Jordan Ziegler. Managers are Jennifer Bechtel, McKenzie Gulick, Sai Potchana, and Audrey White-Dold.

Rep. Mast presented the team with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were introduced and read by title:

HB 2590, AN ACT concerning roads and bridges; relating to advertising signs; application fees; amending K.S.A. 2011 Supp. 68-2236 and repealing the existing section, by Representative Garber.

HB 2591, AN ACT concerning income taxation; relating to credits; amending K.S.A. 79-32,141 and K.S.A. 2011 Supp. 79-32,160a and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-32,160f, by Committee on Taxation.

HB 2592, AN ACT concerning employer leave policies for employees; declaring certain city ordinances and county resolutions to be against public policy, by Committee on Commerce and Economic Development.

HB 2593, AN ACT concerning interstate banking; relating to commission approval; amending K.S.A. 9-532, 9-533 and 9-534 and K.S.A. 2011 Supp. 9-535 and repealing the existing sections, by Committee on Financial Institutions.

HB 2594, AN ACT concerning school districts; relating to changes to the school finance formula; amending K.S.A. 2011 Supp. 72-3607, 72-6407, 72-6410, 72-6412, 72-6414a, 72-6414b, 72-6421, 72-6423, 72-6426, 72-6431, 72-6433, 72-6434, 72-6441, 72-6449, 72-6451, 72-6460, 72-8237, 72-9509, 72-9609 and 79-201x and repealing the existing sections, by Committee on Vision 2020.

HB 2595, AN ACT concerning counties; relating to countywide retailers' sales tax; amending K.S.A. 2011 Supp. 12-187 and repealing the existing section, by Committee on Local Government.

HB 2596, AN ACT repealing K.S.A. 2011 Supp. 74-509; concerning the duties of the irrigation commissioner, by Committee on Government Efficiency.

HB 2597, AN ACT repealing K.S.A. 2-1426 and K.S.A. 2011 Supp. 2-1424a and 2-1425; concerning agricultural seeds; relating to a seed laboratory, seed testing, the seed examination fee fund, and publication reports of inspections and exams, by Committee on Government Efficiency.

HB 2598, AN ACT concerning abortion; relating to restrictions on late term abortions; relating to the woman's-right-to-know act; creating the no taxpayer funding

for abortion act; amending K.S.A. 60-1901 and K.S.A. 2011 Supp. 40-2246, 65-6701, 65-6703, 65-6709, 65-6710, 79-32,117, 79-32,138, 79-32,182b, 79-32,195, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5030**—

By Representatives O'Brien, Arpke, Calloway, Garber, Goodman, Gregory, Grosserode, M. Holmes, Huebert, Kelley, Knox, Mast, Meigs, O'Hara and Scapa

A CONCURRENT RESOLUTION urging the United States Congress to adopt the parental rights amendment, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

WHEREAS, The right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitution of the United States and the state of Kansas; and

WHEREAS, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

WHEREAS, The interests of children are best served when parents are free to make child-rearing decisions about education, religion and other areas of a child's life without state interference; and

WHEREAS, The United States Supreme Court in *Wisconsin v. Yoder*, 406 U.S. 205 (1972), held that “This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition”; and

WHEREAS, The United States Supreme Court in *Troxel v. Granville*, 530 U.S. 57 (2000), however, produced six different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

WHEREAS, This decision created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states; and

WHEREAS, Representative John Fleming of the state of Louisiana introduced House Joint Resolution 3 in the United States House of Representatives, proposing an amendment to the Constitution of the United States to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, which reads as follows:

“Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article.”; and

WHEREAS, This amendment will add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

WHEREAS, Such enumeration of these rights in the text of the Constitution of the United States will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Congress of the United States is urged to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States proposed by Representative John Fleming in House Joint Resolution 3; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President of the Senate, each member of the United States Senate, the speaker of the United States House of Representatives and each member of the United States House of Representatives.

HOUSE CONCURRENT RESOLUTION No. **HCR 5031**—

By Joint Committee on Kansas Security

A CONCURRENT RESOLUTION urging the United States Department of Defense to reevaluate the types of treatment facilities where the TRICARE military health care program provides coverage of substance abuse treatment and to seriously consider allowing coverage in less restrictive outpatient environments.

WHEREAS, The United States Department of Defense requires that substance abuse treatment, referred to as substance use disorder treatment (SUD), covered by the TRICARE military health care program must be provided in an authorized hospital or a treatment program in an authorized freestanding or hospital-based substance abuse treatment program; and

WHEREAS, Kansas community mental health centers are not hospitals and do not meet the requirements for freestanding or hospital-based substance abuse treatment programs; and

WHEREAS, Restrictions on the types of facilities where TRICARE SUD treatment may be provided were adopted in the late 1970s, while current treatment models permit active treatment in less restrictive outpatient environments; and

WHEREAS, Other insurers provide coverage of substance abuse treatment provided to many Kansans by community mental health centers and other state licensed community-based providers; and

WHEREAS, The military is facing growing demand for substance abuse and mental health services and their own SUD treatment programs are routinely reserved for active duty service members; and

WHEREAS, Kansans covered by TRICARE are dispersed throughout the state, many in areas where there are few, if any, SUD treatment providers: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature urges the United States Department of Defense to reevaluate requirements placed on the types of facilities where TRICARE provides coverage of SUD treatment and give serious consideration to allowing coverage of treatment provided in less restrictive outpatient environments, including community mental health centers and other state licensed community-based providers, without regard to whether the client has a mental health diagnosis; and

Be it further resolved: That the Secretary of State is directed to send enrolled copies of this resolution to the President of the United States, to the United States Secretary of Defense and to each member of the Kansas Congressional delegation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Aging and Long-term Care: **HB 2583**.

Agriculture and Natural Resources: **HB 2587**.

Commerce and Economic Development: **HB 2581**.

Corrections and Juvenile Justice: **HB 2584**

Education: **HB 2589**.

Education Budget: **HB 2580**.

Energy and Utilities: **HB 2588**.

Federal and State Affairs: **HB 2575, HB 2576, HB 2577, HB 2578, HB 2579**.

Financial Institutions: **HB 2582**.

Taxation: **HB 2585, HB 2586**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2561** from Committee on Taxation and referral to Committee on Commerce and Economic Development.

COMMUNICATIONS FROM STATE OFFICERS

From the Hon. Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2011 Annual Report, July 1, 2010-June 30, 2011.

From Nick Jordan, Secretary of Revenue, Kansas Department of Revenue, Annual Report, pursuant to K.S.A. 79-32,262(b)(3), Declared Disaster Capital Investment Tax Credit.

From Nick Jordan, Secretary of Revenue, Kansas Department of Revenue, Annual Report, pursuant to K.S.A. 79-32,261(f), Higher Education Deferred Maintenance Tax Credit.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2273, AN ACT designating part of K-99 as the Frankfort Boys World War II Memorial highway; amending K.S.A. 2011 Supp. 68-1057 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps,

Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2428, AN ACT concerning health care providers; relating to the university of Kansas medical center; amending K.S.A. 2011 Supp. 65-4915 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2490, AN ACT concerning doctor of nursing practice degrees at Washburn university; amending K.S.A. 72-6508 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps,

Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

H Sub for SB 191, AN ACT concerning the Kansas department of agriculture; authorizing certain fees; creating the laboratory testing services fee fund, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 18; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: Brown, Burroughs, Davis, Dillmore, Feuerborn, S. Gatewood, Grant, Grosserode, Henderson, Kelley, Kinzer, Kuether, Landwehr, Lane, LeDoux, Ruiz, Tietze and Ward.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Gordon in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Gordon, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2451** be passed.

Committee report to **HB 2424** be adopted; also, on motion of Rep. Bethell, be amended on page 2, in line 8, after "center" by inserting "and providers subject to the provisions of K.S.A. 38-1801, *et seq.*, and amendments thereto"; and the bill be passed as amended.

Committee report to **HB 2335** be adopted; and the bill be passed as amended.

Committee report to **HB 2453** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2421** be amended on page 3, in line 16, by striking "a central metallic part, such as"; also in line 16, by striking "or"; in line 17, by striking "frame"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2420** be passed.

Committee on **Pensions and Benefits** recommends **HB 2460** be amended on page 8, following line 7, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 74-49,123 is hereby amended to read as follows: 74-49,123. (a) This section applies to the Kansas public employees retirement system and to all other public retirement plans administered by the board of trustees.

(b) As used in this section:

(1) "Federal internal revenue code" means the federal internal revenue code of 1954 or 1986, as amended and as applicable to a governmental plan as in effect on July 1, 2008; and

(2) "retirement plan" includes the Kansas public employees retirement system and all other Kansas public retirement plans and benefit structures, which are administered by the board.

(c) In addition to the federal internal revenue code provisions otherwise noted in each retirement plan's law, and in order to satisfy the applicable requirements under the federal internal revenue code, the retirement plans shall be subject to the following provisions, notwithstanding any other provision of the retirement plan's law:

(1) The board shall distribute the corpus and income of the retirement plan to the members and their beneficiaries in accordance with the retirement plan's law. At no time prior to the satisfaction of all liabilities with respect to members and their beneficiaries shall any part of the corpus and income be used for, or diverted to, purposes other than the exclusive benefit of the members and their beneficiaries.

(2) Forfeitures arising from severance of employment, death or for any other reason may not be applied to increase the benefits any member would otherwise receive under the retirement plan's law. However, forfeitures may be used to reduce an employer's contribution.

(3) All benefits paid from the retirement plan shall be distributed in accordance with a good faith interpretation of the requirements of section 401(a)(9) of the federal internal revenue code and the regulations under that section. Notwithstanding any other provision of these rules and regulations, effective on and after January 1, 2003, the retirement plan is subject to the following provisions:

(A) Benefits must begin by the required beginning date, which is the later of April 1 of the calendar year following the calendar year in which the member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which the member terminates employment. If a member fails to apply for retirement benefits by April 1 of the calendar year following the calendar year in which such member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which such member terminates employment, whichever is later, the board will begin distributing the benefit as required by this section.

(B) The member's entire interest must be distributed over the member's life or the lives of the member and a designated beneficiary, or over a period not extending beyond the life expectancy of the member or of the member and a designated beneficiary. Death benefits must be distributed in accordance with section 401 (a)(9) of the federal internal

revenue code, including the incidental death benefit requirement in section 401 (a)(9)(G) of the federal internal revenue code, and the regulations implementing that section.

(C) The life expectancy of a member, the member's spouse or the member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

(D) If a member dies after the required distribution of benefits has begun, the remaining portion of the member's interest must be distributed at least as rapidly as under the method of distribution before the member's death and no longer than the remaining period over which distributions commenced.

(E) If a member dies before required distribution of the member's benefits has begun, the member's entire interest must be either:

(i) In accordance with federal regulations, distributed over the life or life expectancy of the designated beneficiary, with the distributions beginning no later than December 31 of the calendar year immediately following the calendar year of the member's death; or

(ii) distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

(F) The amount of an annuity paid to a member's beneficiary may not exceed the maximum determined under the incidental death benefit requirement of the federal internal revenue code.

(G) The death and disability benefits provided by a retirement plan are limited by the incidental benefit rule set forth in section 401(a)(9)(G) of the federal internal revenue code and treasury regulation 1.401-1(b)(1)(i).

(4) Distributions from the retirement plans may be made only upon retirement, separation from service, disability or death.

(5) The board or its designee may not:

(A) Determine eligibility for benefits;

(B) compute rates of contribution; or

(C) compute benefits of members or beneficiaries, in a manner that discriminates in favor of members who are considered officers, supervisors or highly compensated, as prohibited under section 401(a)(4) of the federal internal revenue code.

(6) Subject to the provisions of this subsection, benefits paid from, and employee contributions made to, the retirement plans shall not exceed the maximum benefits and the maximum annual additions, respectively, permissible under section 415 of the federal internal revenue code.

(A) Before January 1, 1995, a member may not receive an annual benefit that exceeds the limits specified in section 415(b) of the federal internal revenue code, subject to the applicable adjustments in that section. Beginning January 1, 1995, a participant may not receive an annual benefit that exceeds the dollar amount specified in section 415(b)(1)(A) of the federal internal revenue code, subject to the applicable adjustments in section 415 of the federal internal revenue code.

(B) Notwithstanding any other provision of law to the contrary, the board may modify a request by a participant to make a contribution to the retirement plans if the amount of the contribution would exceed the limits under section 415(c) or 415(n) of the federal internal revenue code subject to the following:

(i) Where the retirement plan's law requires a lump-sum payment, for the purchase of service credit, the board may establish a periodic payment plan in order to avoid a

contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code.

(ii) If the board's option under subdivision (i) will not avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code, the board shall reduce or deny the contribution.

(C) Effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, if an active member makes one or more contributions to purchase permissive service credit under a retirement plan, then the requirements of this section shall be treated as met only if:

(i) The requirements of section 415(b) of the federal internal revenue code are met, determined by treating the accrued benefit derived from all such contributions as an annual benefit for purposes of such section; or

(ii) the requirements of section 415(c) of the federal internal revenue code are met, determined by treating all such contributions as annual additions for purposes of such section. For purposes of applying subparagraph (i) a retirement plan shall not fail to meet the reduced limit under section 415(b)(2)(C) of the federal internal revenue code solely by reason of this paragraph (C), and for purposes of applying subparagraph (ii), a retirement plan shall not fail to meet the percentage limitation under section 415(c)(1)(B) of the federal internal revenue code solely by reason of this paragraph.

(iii) For purposes of this paragraph, the term "permissive service credit" means service credit:

(a) Specifically recognized by a retirement plan's law for purposes of calculating a member's benefit under that retirement plan;

(b) which such member has not received under a retirement plan; and

(c) which such member may receive under a retirement plan's law only by making a voluntary additional contribution, in an amount determined under the retirement plan's law and procedures established by the board, which does not exceed the amount necessary to fund the benefit attributable to such service credit.

(iv) A retirement plan shall fail to meet the requirements of this paragraph if the retirement plan's law specifically provides for a purchase of nonqualified service purchase, and if:

(a) More than five years of nonqualified service credit are taken into account for purposes of this paragraph; or

(b) any nonqualified service credit is taken into account under this paragraph before the member has at least five years of participation under a retirement plan. For purposes of this paragraph, effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, the term "nonqualified service credit" means the same as provided in section 415(n)(3)(C) of the federal internal revenue code.

(v) In the case of a trustee-to-trustee transfer after December 31, 2001, to which section 403(b)(13)(A) or 457(e)(17)(A) of the federal internal revenue code applies, without regard to whether the transfer is made between plans maintained by the same employer:

(a) The limitations of subparagraph (iv) shall not apply in determining whether the transfer is for the purchase of permissive service credit; and

(b) the distribution rules applicable under federal law to a retirement plan shall apply to such amounts and any benefits attributable to such amounts.

(vi) For an eligible member, the limitation of section 415(c)(1) of the federal internal revenue code shall not be applied to reduce the amount of permissive service credit which may be purchased to an amount less than the amount which was allowed to be purchased under the terms of the statute as in effect on August 5, 1997. For purposes of this subparagraph, an eligible member is an individual who first became a member in the retirement plan before January 1, 1998.

(D) Subject to approval by the internal revenue service, the board shall maintain a qualified governmental excess benefit arrangement under section 415(m) of the federal internal revenue code. The board shall establish the necessary and appropriate procedures for the administration of such benefit arrangement under the federal internal revenue code. The amount of any annual benefit that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be paid from this benefit arrangement. The amount of any contribution that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be credited to this benefit arrangement. The qualified excess benefit arrangement shall be a separate portion of the retirement plan. The qualified excess benefit arrangement is subject to the following requirements:

(i) The benefit arrangement shall be maintained solely for the purpose of providing to participants in the retirement plans that part of the participant's annual benefit otherwise payable under the terms of the act that exceeds the limitations on benefits imposed by section 415 of the federal internal revenue code; and

(ii) participants do not have an election, directly or indirectly, to defer compensation to the excess benefit arrangement.

(E) For purposes of applying these limits only and for no other purpose, the definition of compensation where applicable shall be compensation actually paid or made available during a limitation year, except as noted below and as permitted by treasury regulation section 1.415(c)-2. Specifically, compensation shall be defined as wages within the meaning of section 3401(a) of the federal internal revenue code and all other payments of compensation to an employee by an employer for which the employer is required to furnish the employee a written statement under sections 6041(d), 6051(a)(3) and 6052 of the federal internal revenue code. Compensation shall be determined without regard to any rules under section 3401(a) of the federal internal revenue code that limit the remuneration included in wages based on the nature or location of the employment or the services performed, such as the exception for agricultural labor in section 3401(a)(2) of the federal internal revenue code.

(i) However, for limitation years beginning after December 31, 1997, compensation shall also include amounts that would otherwise be included in compensation but for an election under sections 125(a), 402(e)(3), 402(h)(1)(B), 402(k) or 457(b) of the federal internal revenue code. For limitation years beginning after December 30, 2000, compensation shall also include any elective amounts that are not includable in the gross income of the employee by reason of section 132(f)(4) of the federal internal revenue code.

(ii) The definition of compensation shall exclude employee contributions picked up under section 414(h)(2) of the federal internal revenue code.

(iii) For limitation years beginning on and after January 1, 2007, compensation for the limitation year will also include compensation paid by the later of 2¹/₂ two and a half months after an employee's severance from employment or the end of the limitation

year that includes the date of the employee's severance from employment if:

(a) The payment is regular compensation for services during the employee's regular working hours or compensation for services outside the employee's regular working hours, such as overtime or shift differential, commissions, bonuses or other similar payments, and absent a severance from employment, the payments would have been paid to the employee while the employee continues in employment with the employer; ~~or~~

(b) the payment is for unused accrued *bona fide* sick, vacation or other leave that the employee would have been able to use if employment had continued; ~~or~~

(c) for limitation years beginning on and after January 1, 2012, the payment is made pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid to the member at the same time if the member had continued employment with the employer and only to the extent that the payment is includable in the member's gross income.

(iv) Any payments not described in paragraph (iii) are not considered compensation if paid after severance from employment, even if they are paid within two and a half months following severance from employment, except for payments to the individual who does not currently perform services for the employer by reason of qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the employer rather than entering qualified military service.

(v) An employee who is in qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, shall be treated as receiving compensation from the employer during such period of qualified military service equal to: (a) The compensation the employee would have received during such period if the employee were not in qualified military service, determined based on the rate of pay the employee would have received from the employer but for the absence during the period of qualified military service; or (b) if the compensation the employee would have received during such period was not reasonably certain, the employee's average compensation from the employer during the twelve-month period immediately preceding the qualified military service, or if shorter, the period of employment immediately preceding the qualified military service.

~~(iv)~~(vi) Back pay, within the meaning of treasury regulation section 1.415(c)-2(g)(8), shall be treated as compensation for the limitation year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included under this definition.

(7) On and after January 1, 2009, for purposes of applying the limits under section 415(b) of the federal internal revenue code, the following shall apply:

(A) A member's applicable limit shall be applied to the member's annual benefit in the first limitation year without regard to any automatic cost-of-living increases;

(B) to the extent the member's annual benefit equals or exceeds such limit, the member shall no longer be eligible for cost-of-living increases until such time as the benefit plus the accumulated increases are less than such limit;

(C) thereafter, in any subsequent limitation year, the member's annual benefit including any automatic cost-of-living increase applicable shall be tested under the then applicable benefit limit including any adjustment to the dollar limit under section

415(b)(1)(A) or 415(d) of the federal internal revenue code and the regulations thereunder; and

(D) in no event shall a member's annual benefit payable from a retirement plan in any limitation year be greater than the limit applicable at the annuity starting date, as increased in subsequent years pursuant to section 415(d) of the federal internal revenue code and the regulations thereunder. If the form of benefit without regard to the automatic benefit increase feature is not a straight life annuity, then the preceding sentence is applied by reducing the limit under section 415(b) of the federal internal revenue code applicable at the annuity starting date to an actuarially equivalent amount determined using the assumptions specified in treasury regulation section 1.415(b)-1(c)(2)(ii) that take into account the death benefits under the form of benefit. This subsection applies to distributions made on and after January 1, 1993. A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a transfer made from the retirement system.

(i) An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: (a) Any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life or the life expectancy of the distributee or the joint lives or joint life expectancies of the distributee and the distributee's designated beneficiary or for a specified period of 10 years or more; (b) any distribution to the extent such distribution is required under section 401(a)(9) of the federal internal revenue code; (c) the portion of any distribution that is not includable in gross income; and (d) any other distribution that is reasonably expected to total less than \$200 during the year. Effective January 1, 2002, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includable in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the federal internal revenue code, or to a qualified defined contribution plan described in section 401(a) of the federal internal revenue code or to a qualified plan described in section 403(a) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings on such amounts, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable, or on or after January 1, 2007, to a qualified defined benefit plan described in section 401(a) of the federal internal revenue code or to an annuity contract described in section 403(b) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings thereon, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable.

(ii) An eligible retirement plan is any of the following that accepts the distributee's eligible rollover distribution:

(a) An individual retirement account described in section 408(a) of the federal internal revenue code;

(b) an individual retirement annuity described in section 408(b) of the federal internal revenue code;

(c) an annuity plan described in section 403(a) of the federal internal revenue code;

(d) a qualified trust described in section 401(a) of the federal internal revenue code;

(e) effective January 1, 2002, an annuity contract described in section 403(b) of the federal internal revenue code;

(f) effective January 1, 2002, a plan eligible under section 457(b) of the federal internal revenue code that is maintained by a state, political subdivision of a state or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into the plan from a retirement plan; or

(g) effective January 1, 2008, a roth IRA described in section 408(A) of the federal internal revenue code.

(iii) Effective January 1, 2002, the definition of eligible rollover distribution also includes a distribution to a surviving spouse, or to a spouse or former spouse who is an alternate payee under a domestic relations order, as defined in section 414(p) of the federal internal revenue code.

(iv) A distributee includes an employee or former employee. It also includes the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the federal internal revenue code. Effective July 1, 2007, a distributee further includes a nonspouse beneficiary who is a designated beneficiary as defined by section 401(a)(9)(E) of the federal internal revenue code. However, a nonspouse beneficiary may rollover the distribution only to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution and the account or annuity will be treated as an "inherited" individual retirement account or annuity.

(v) A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.

(8) Notwithstanding any law to the contrary, the board may accept a direct or indirect eligible rollover distributions for the purpose of the purchase of service credit. In addition, the board may accept a direct trustee to trustee transfer from a deferred compensation plan under section 457(b) of the federal internal revenue code or a tax sheltered annuity under section 403(b) of the federal internal revenue code for: (A) The purchase of permissive service credit, as defined under section 415(n)(3)(A) of the federal internal revenue code; or (B) a repayment to which section 415 of the federal internal revenue code does not apply pursuant to section 415(k)(3) of the federal internal revenue code. Any such transfer shall be allowed as provided in this subsection to the extent permitted by law, subject to any conditions, proofs or acceptance established or required by the board or the board's designee.

(9) Where required by the act, an employer shall pick up and pay contributions that would otherwise be payable by members of a retirement plan in accordance with section 414(h)(2) of the federal internal revenue code as follows:

(A) The contributions, although designated as employee contributions, are being paid by the employer in lieu of contributions by the employee;

(B) the employee must not have been given the option of receiving the amounts directly instead of having them paid to the retirement plan; and

(C) the pickup shall apply to amounts that a member elects to contribute to receive credit for prior or participating service if the election is irrevocable and applies to amounts contributed before retirement.

(10) (A) Notwithstanding any provision of this plan to the contrary, contributions,

benefits and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the federal internal revenue code and the uniformed services employment and reemployment rights act of 1994.

(B) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent required by section 401(a)(37) of the federal internal revenue code, survivors of a member in the system, are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. A deceased member's period of qualified military service must be counted for vesting purposes.

(C) Effective with respect to deaths or disabilities, or both, occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent permitted by section 414(u)(9) of the federal internal revenue code, for the benefit accrual purposes and in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death or disability, or both, and then having terminated on the date of death or disability. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(D) Beginning January 1, 2009, to the extent required by section 414(u)(12) of the federal internal revenue code, an individual receiving differential wage payments, as defined under section 3401(h)(2) of the federal internal revenue code, from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the federal internal revenue code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(11) Upon the complete or partial termination of a retirement plan, the rights of members to benefits accrued to the date of termination, to the extent funded, or to the amounts in their accounts are nonforfeitable, and amounts in their accounts may be distributed to them.

(d) The plan year for the retirement plan begins on July 1.

(e) The limitation year for purposes of section 415 of the federal internal revenue code is the calendar year.

(f) The board may not engage in a transaction prohibited by section 503(b) of the federal internal revenue code.

(g) For purposes of determining an "actuarial equivalent" or of an "actuarial computation" for members hired prior to July 1, 2009, the board shall use the following:

(A) The applicable mortality table is specified in revenue ruling 2001-62 or revenue ruling 2007-67, as applicable; and

(B) the applicable interest factor is 8% per year.

(2) For purposes of determining an "actuarial equivalent" or an "actuarial computation" for members hired on or after July 1, 2009, the board shall use the following:

(A) The applicable mortality table is the 50/50 male/female blend of the RP 2000 health annuitant mortality table, projected to 2025; and

(B) The applicable interest factor is 8% per year.

(3) For converting amounts payable under the partial lump sum option, the board shall use the following:

(A) The applicable mortality table is a 50/50 male/female blend of the 1983 group annuity mortality table; and

(B) the applicable interest factor is 8% per year.

(4) For benefit testing under section 415(b) of the federal internal revenue code, the factors required by treasury regulations shall be used. The applicable mortality table is specified in revenue ruling 2001-62 for years prior to January 1, 2009, and notice 2008-85 for years after December 31, 2008.";

And by renumbering sections accordingly;

Also on page 8, in line 8, after "74-4920" by inserting "and 74-49,123";

On page 1, in the title, in line 3, after "rate;" by inserting "applicability of certain federal internal revenue code provisions;"; in line 4, after "74-4920" by inserting "and 74-49,123"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2461** be amended on page 3, in line 25, by striking "and"; in line 28, by striking the period and inserting "; and

(ix) the total of alternative investments does not exceed 25% of the total investment assets of the fund.";

Also on page 3, in line 29, by striking "means nontraditional"; by striking all in lines 30 through 33 and inserting "includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments which have the characteristics described in this paragraph; and"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2454** be passed.

Committee on **Transportation** recommends **HB 2441** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were thereupon introduced and read by title:

HB 2599, AN ACT concerning motor vehicles; relating to certain antique license plates; providing for registration decals; amending K.S.A. 2011 Supp. 8-172 and repealing the existing section, by Committee on Transportation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5032**—

By Committee on Corrections and Juvenile Justice

A CONCURRENT RESOLUTION commending the positive approach and best practices of the Crisis Intervention Team program and encouraging the development of active crisis intervention team programs statewide.

WHEREAS, Mental illness is a serious medical condition that affects children, adolescents, adults and the elderly; and

WHEREAS, In response to the need for law enforcement officers to better understand and resolve issues arising from persons with mental illness, 1,250 Crisis Intervention Team (CIT) programs have been developed nationally and in the Kansas counties of Reno, Lyon, Johnson, Shawnee, Sedgwick and Wyandotte; and

WHEREAS, More than 900 law enforcement officers statewide have been trained by local CIT councils and the Kansas Law Enforcement Training Center, including officers of the Capitol Police, Kansas Department of Corrections, as well as School Resource Officers and local jail and dispatch personnel; and

WHEREAS, CIT training is a 40-hour curriculum, based on the Memphis Police Department Crisis Intervention Team model of best practices for law enforcement intervention with persons who have a mental illness;

WHEREAS, The CIT program trains law enforcement officers to effectively and humanely intervene and assist in situations involving children and adults who find themselves in psychiatric crisis; and

WHEREAS, Implementing the CIT program on a statewide basis means building strong working partnerships between law enforcement agencies and mental health resources in the community, which enable law enforcement and mental health agencies to collaborate to identify appropriate and long-term solutions for persons with mental illness; and

WHEREAS, The CIT program is proven to reduce the likelihood of physical confrontation and use of force in intervention situations, improve officer safety and decrease injuries to law enforcement officers involved in crisis intervention; and

WHEREAS, The CIT program decreases the use of arrest and detention of persons experiencing a mental health crisis by providing these persons with better access to timely and appropriate mental health treatment and community services; and

WHEREAS, The CIT program provides an immediate response to crisis intervention situations by specially trained law enforcement officers; and

WHEREAS, Many local jails now operate as the largest mental health institutions in their community and CIT programs reduce the number of nonviolent persons with mental illness in local jails as a result of minor offenses; and

WHEREAS, Most of those incarcerated with mental illness also have alcohol and drug problems and are categorized as having "co-occurring disorders"; and

WHEREAS, Such persons are better served through treatment of their mental illness in the community than by being detained in jail, thereby resulting in significant cost savings for both police and jails, while providing treatment that will reduce the likelihood of recidivism; and

WHEREAS, The CIT program promotes good will between law enforcement and members of the community; and

WHEREAS, Not all law enforcement agencies in Kansas have CIT-trained officers; and not all CIT-trained officers are connected to a CIT program that is implemented in partnership with mental health providers: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Legislature of the State of Kansas recognizes the outstanding leadership of the Crisis Intervention Team programs and CIT as a model of best practice for law enforcement intervention with persons who have a mental illness;

and

Be it further resolved: That the Legislature encourages law enforcement agencies to lead the effort in partnership with community mental health centers and local advocacy organizations representing individuals living with mental illnesses and their family members to establish local and regional CIT programs; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, the Kansas Peace Officers Association, the Kansas Law Enforcement Training Center, and the Secretaries of Social and Rehabilitation Services and the Kansas Department of Corrections.

PERSONAL PRIVILEGE

Remarks by Rep. Mosier:

It has been my honor and privilege to serve the people of the 67th District and the people of Kansas. And it has been my honor and pleasure to serve with each and every one of you!

On your desks, you will find my new address in the Landon Office Building. I look forward to seeing you again when I return to Topeka in March.

Thank you and good-bye.

REPORT ON ENGROSSED BILLS

HB 2273 reported correctly engrossed January 31, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, February 2, 2012.

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 2, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

Prayer by guest chaplain, the Rev. Dr. M. Rex Fuller, Faith Baptist Church of Concordia, and guest of Rep. Bowers:

Dear Lord, Thank you for your blessings on the 151 years of Kansas history and for the heritage that we enjoy. Thank you for the men and women in this room who have the great responsibility of establishing laws within the framework of the Kansas Constitution. I pray that all of us will be reminded of the words of Benjamin Franklin during the Constitutional Convention in 1787, "I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth – that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, Sir, in the sacred writings, that 'except the Lord build the House they labour in vain that build it.'" So, dear Lord, here today we ask for your hand of guidance and blessing upon every member of the Kansas House of Representatives. May they find and follow your leadership in every decision they make. In Jesus' holy name I pray, Amen.

The Pledge of Allegiance was led by Rep. Bowers.

Kansas Trivia Question – The state fair is held every year now in Hutchinson. Where was the first one held?

Answer: Leavenworth

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

To all to whom these presents shall come, Greetings:

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Tom Phillips, Manhattan, was appointed by the Governor effective February 2, 2012, to the

Kansas House of Representatives, Sixty-Seventh District, to fill the vacancy created by the resignation of Susan Mosier.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 2nd day of February, A.A. 2012.

KRIS KOBACH
Secretary of State

OATH OF OFFICE

Tom Phillips was called forward and took and subscribed to the following oath of office, administered by Secretary of State Kris Kobach:

State of Kansas, County of Shawnee, ss:

I do solemnly swear or affirm that I will support the constitution of the United States and the constitution of the State of Kansas, so help me God.

Rep. Phillips was welcomed to the House with a standing ovation.

The roll was called with 124 members present.

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

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Siegfried, **HR 6007**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6007**—

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 members of the 2012 regular session shall occupy the same seats assigned pursuant to 2012 House Resolution No. 6002 with the following exceptions: Denning, seat No. 22; Phillips, seat No. 103.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2600, AN ACT concerning mental health information; relating to access by law enforcement officers; amending K.S.A. 2011 Supp. 65-5603 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2601, AN ACT concerning crimes, criminal procedure and punishment; relating to providing information to law enforcement; relating to interference with law enforcement; amending K.S.A. 22-2402 and K.S.A. 2011 Supp. 21-5904 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2602, AN ACT concerning crimes, criminal procedure and punishment; relating to the Kansas alien rapid repatriation act, by Committee on Corrections and Juvenile Justice.

HB 2603, AN ACT establishing the Kansas business workers and community partnership act, by Committee on Appropriations.

HB 2604, AN ACT repealing K.S.A. 2011 Supp. 2-1233; concerning fertilizer and pesticide compliance and administration fund, by Committee on Government Efficiency.

HB 2605, AN ACT repealing K.S.A. 2-2465; concerning the pest control operators' fee fund, by Committee on Government Efficiency.

HB 2606, AN ACT concerning state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858, by Committee on Redistricting.

HB 2607, AN ACT concerning sales taxation; relating to certain cash rebates on sales of motor vehicles; amending K.S.A. 2011 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

HB 2608, AN ACT concerning school districts; relating to the amount of base state aid per pupil; amending K.S.A. 2011 Supp. 72-6410 and repealing the existing section, by Committee on Taxation.

HB 2609, AN ACT concerning property tax; transferring moneys to the local ad valorem tax reduction fund; amending K.S.A. 2011 Supp. 79-2959 and repealing the existing section, by Committee on Taxation.

HB 2610, AN ACT concerning sales taxation; relating to nexus; amending K.S.A. 2011 Supp. 79-3702 and repealing the existing section, by Committee on Taxation.

HB 2611, AN ACT concerning sales taxation; relating to exemptions; certain sales of food and food ingredients during sales tax holidays; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Children and Families: **HCR 5030**.

Corrections and Juvenile Justice: **HCR 5032**.

Education: **HB 2594**.

Federal and State Affairs: **HB 2598**.

Financial Institutions: **HB 2593**.

Government Efficiency: **HB 2596, HB 2597**.

Local Government: **HB 2592**.
 Taxation: **HB 2591, HB 2595**.
 Transportation: **HB 2590, HB 2599**.
 Veterans, Military and Homeland Security: **HCR 5031**.

COMMUNICATIONS FROM STATE OFFICERS

From Jesse Borjon, Director of Public Affairs and Consumer Protection, Kansas Corporation Commission, Annual Report to the 2012 Legislature.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, as required by K.S.A. 2011 Supp. 66-2005 as amended by SB 350, HB 2637 and SB 72, Annual Price Deregulation Report to the 2012 Legislature, February 1, 2012.

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

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2335, AN ACT concerning the Kansas act against discrimination; amending K.S.A. 44-1002 and 44-1006 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, rep_phillips_tom_1, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bethell.

The bill passed, as amended.

HB 2424, AN ACT concerning home and community based services waivers; relating to providers of home and community based services; amending K.S.A. 39-7,100 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy,

Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, rep_phillips_tom_1, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: LeDoux and Swanson.

Present but not voting: None.

Absent or not voting: Bethell.

The bill passed, as amended.

HB 2451, AN ACT concerning water; relating to water right abandonment; amending K.S.A. 2011 Supp. 82a-718 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, rep_phillips_tom_1, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bethell.

The bill passed.

HB 2453, AN ACT concerning the commission on disability concerns; amending K.S.A. 2011 Supp. 74-6701, 74-6702, 74-6703, 74-6706 and 74-6707 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-6709, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, rep_phillips_tom_1, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Bethell.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Kiegerl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kiegerl, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2456** be passed.

Committee report to **HB 2471** be adopted; and the bill be passed as amended.

Committee report to **HB 2502** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2515** be amended on page 1, in line 4, by striking "6" and inserting "5"; in line 7, by striking "units" and inserting "entities"; in line 13, by striking "units" and inserting "entities"; in line 15, by striking "units"; and inserting "entities"; in line 17, by striking "units" and inserting "entities"; in line 20, by striking "units" and inserting "entities"; in line 26, by striking "nor any construction manager" and inserting "or any agent thereof"; in line 27, by striking all following the first comma; by striking all in line 28; in line 29, by striking "construction contract"; also in line 29, following "shall" by inserting "not";

On page 2, in line 6, after "subcontractor" by inserting ", construction manager, design-builder"; also in line 6, after "supplier" by inserting "of any tier"; by striking all in lines 8 through 38;

And by renumbering sections accordingly;

And the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2055** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2055," as follows:

"Substitute for HOUSE BILL NO. 2055

By Committee on Corrections and Juvenile Justice

"AN ACT concerning criminal procedure; relating to district attorney offender reports; amending K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 and repealing the existing sections."; and the substitute bill be passed.

(Sub. **HB 2055** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2413** be amended on page 4, in line 18, by striking the "disclosure" and inserting "disclose"; also in line 18, after "information" by inserting "described hereafter"; in line 22, after the period by inserting "The board shall provide the department a list, in electronic format and in the manner determined by the department, of the names, social security numbers, and relevant tax year of the defendants, and the department shall provide to the board in electronic format, in the manner determined by the department, the relevant tax year, Kansas adjusted gross income and number of dependents reported by the defendant on the Kansas individual income tax return as shown on the department's record."; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2491** be amended on page 2, in line 12, by striking "for purposes of self defense"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2507** be passed.

Committee on **Transportation** recommends **HB 2458, HB 2459** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were thereupon introduced and read by title:

HB 2612, AN ACT designating a portion of Kansas highway 79 as the Barnes brothers memorial highway, by Representative LeDoux.

HB 2613, AN ACT concerning crimes, criminal procedure and punishment; relating to protective orders; relating to permanent orders; amending K.S.A. 2011 Supp. 21-5924, 60-3104, 60-3107, 60-31a04 and 60-31a06 and repealing the existing sections; also repealing K.S.A. 60-3111, by Committee on Corrections and Juvenile Justice.

HB 2614, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, by Representatives Phelps, Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Coloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Mesa, Mosier, Moxley, O'Brien, O'Hara, Osterman, Otto, Peterson, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Slattery, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore and Worley.

HB 2615, AN ACT concerning schools; relating to the Kansas academy of mathematics and science program; amending K.S.A. 2011 Supp. 72-9712 and 72-9713

and repealing the existing sections, by Committee on Education.

HB 2616, AN ACT concerning counties; relating to the reconstruction or repair of bridges; pertaining to emergency conditions; amending K.S.A. 19-216a and repealing the existing section, by Committee on Local Government.

HB 2617, AN ACT concerning sales and compensating use taxation; relating to reports by retailers; requirements and duties of the Kansas department of revenue; penalties; confidentiality of information; distribution of revenue; creating certain funds in state treasury; amending K.S.A. 2011 Supp. 79-3620 and 79-3710 and repealing the existing sections, by Committee on Vision 2020.

HB 2618, AN ACT concerning the portable electronics insurance act; amending K.S.A. 2011 Supp. 40-5603, 40-5605 and 40-5607 and repealing the existing sections, by Committee on Insurance.

HB 2619, AN ACT concerning adult care homes; relating to licensure; amending K.S.A. 39-931a and K.S.A. 2011 Supp. 39-923 and 39-931 and repealing the existing sections, by Committee on Aging and Long-term Care.

HB 2620, AN ACT concerning school districts; creating the excellence in career technical education act; pertaining to career technical education; amending K.S.A. 72-4417, 72-4419, 72-4463 and 72-6419 and K.S.A. 2011 Supp. 10-1116a, 71-201, 71-609, 72-6413, 72-64c03, 72-6624, 72-6625 and 74-32,141 and repealing the existing sections; also repealing K.S.A. 72-6422 and K.S.A. 2011 Supp. 72-6421, by Committee on Appropriations.

HB 2621, AN ACT concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2011 Supp. 84-9-102, 84-9-105, 84-9-307, 84-9-311, 84-9-316, 84-9-317, 84-9-326, 84-9-406, 84-9-408, 84-9-502, 84-9-503, 84-9-507, 84-9-515, 84-9-516, 84-9-518, 84-9-607 and 84-9-625 and repealing the existing sections, by Committee on Judiciary.

HB 2622, AN ACT concerning historic properties; relating to projects within the environs of such properties; amending K.S.A. 75-2729 and K.S.A. 2011 Supp. 75-2724 and repealing the existing sections, by Committee on Local Government.

HB 2623, AN ACT concerning schools; relating to the high school activities association; pertaining to membership of the board and executive board; amending K.S.A. 72-130 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2624, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp. 19-101a and 79-4231 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2625, AN ACT concerning farm wineries; amending K.S.A. 2011 Supp. 41-308a and repealing the existing section, by Committee on Federal and State Affairs.

HB 2626, AN ACT repealing K.S.A. 83-139 and 83-140; concerning fraudulent practices selling grain, seed, hay or coal; relating to penalties, civil liability and attorney fees, by Committee on Government Efficiency.

COMMITTEE ASSIGNMENT CHANGES

Speaker O'Neal announced the following committee assignment changes:

Rep. Phillips will replace Rep. Vickrey on Committee on Aging and Long-term Care.

Rep. Phillips will replace Rep. Mosier on Committee on Health and Human Services. Rep. Johnson will replace Rep. Mosier on Committee on Insurance and Committee on Financial Institutions. Rep. Phillips will replace Rep. Johnson on Committee on Government Efficiency.

REPORT ON ENGROSSED BILLS

HB 2335 reported correctly engrossed February 2, 2012.

On motion of Rep. Siegfried, the House adjourned until 8:30 a.m., Friday, February 3, 2012.

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 3, 2012, 8:30 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 114 members present.

Reps. Aurand, Bethell, Calloway, Collins, Dillmore, Gordon, Henderson, Mah, O'Hara, Peterson and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Father God,
In Your Word we are told,
“do not be afraid or discouraged...
for the battle is not yours,
it is God's.”
Help us to realize that as leaders
we are stewards of Your purposes and resources.
Too often, we act as if we are the owners.
It is easy for us to try to play God...
to think we work miracles for You,
rather than You working miracles for us.
This day is yours;
these people are yours;
the resources are yours;
the challenges we face are yours—
as is anything we hope to accomplish.
Help us to let go and recognize...
it is all Yours—not ours.
In Christ's Name I pray, Amen.
(2 Chronicles 20:15)

The Pledge of Allegiance was led by Rep. Meigs.

Kansas Trivia Question – During the 1920's and 1930's Kansas manufactured a product known as Deep Shaft that supposedly was a favorite of former President Harry Truman in his younger days. What was it?

Answer: Bootleg liquor produced in the southeastern Kansas mining country

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. LeDoux are spread upon the Journal:

I rise to a Point of Personal Privilege to pay respects to PVC Cody Baker of Holton, Kansas. Six months ago today Cody lost his life in Afghanistan defending our country.

On the day of Cody's funeral in Holton, countless men, women and children wore Cody's memorial shirts and waved American Flags on the streets of that small town. A few days ago, Cody's mother, Candy McManigal, sent out an email asking he citizens of Holton to wear their memorial shirts this day.

That day last summer was one I shall never forget. I have never seen so many American Flags as the people of Holton lined the streets to pay their respects too our fallen hero. I was honored to stand with my fellow Holtonians and shield Cody and his family from the protestors who were on hand.

Mr. Speaker, PFC Baker gave his life defending the rights that so many of us sadly take for granted today. Daily, we in the Kansas House exercise these rights as we freely debate the issues facing our great state. True to form of our soldiers, he defended even the rights of those who protested his memorial service. Amazing.

I want to express that today the citizens of Holton and Jackson County honor PFC Baker's life and his service. I am proud to stand before you all today and pay my own respects to Cody, his parents Mike and Candy McManigal, and his entire family.

I am also very pleased the men and women of the Kansas House of Representatives honor Cody as well on this day.

PFC Cody Baker, thank you for your service. Godspeed, young man. Well done, good and faithful servant

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2627, AN ACT concerning certain deductions from wages; amending K.S.A. 2011 Supp. 44-319 and repealing the existing section, by Committee on Commerce and Economic Development.

HB 2628, AN ACT concerning sales taxation; relating to reduction of rate; amending K.S.A. 2011 Supp. 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2629, AN ACT concerning the Kansas product liability act; relating to a product liability claim arising from an alleged defect in a used product; amending K.S.A. 60-3306 and repealing the existing section, by Committee on Judiciary.

HB 2630, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; federal nontaxable distributions to certain retirants, by Committee on Pensions and Benefits.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Aging and Long-term Care: **HB 2619**.

Corrections and Juvenile Justice: **HB 2600, HB 2601, HB 2602, HB 2613**.

Education: **HB 2608, HB 2615, HB 2620, HB 2623.**
 Energy and Utilities: **HB 2624.**
 Federal and State Affairs: **HB 2603, HB 2625.**
 Government Efficiency: **HB 2604, HB 2605, HB 2626.**
 Insurance: **HB 2618.**
 Judiciary: **HB 2621.**
 Local Government: **HB 2622.**
 Redistricting: **HB 2606.**
 Taxation: **HB 2607, HB 2609, HB 2610, HB 2611, HB 2617.**
 Transportation: **HB 2612, HB 2614, HB 2616.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2582** from Committee on Financial Institutions and referral to Committee on General Government Budget.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2456, AN ACT concerning the underground utility damage prevention act; relating to appointment of members; amending K.S.A. 2011 Supp. 66-1805 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Calloway, Collins, Dillmore, Gordon, Henderson, Mah, O'Hara, Peterson, Winn.

The bill passed.

HB 2471, AN ACT concerning adult care homes; relating to the board of adult care home administrators; amending K.S.A. 2011 Supp. 65-3506 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 11; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Carlin, Carlson, Cassidy, Colloton, Crum,

Davis, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, DeGraaf, Hildabrand, Kiegerl, Kinzer, LeDoux, Mast, O'Brien, Rubin, Scapa, Tyson.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Calloway, Collins, Dillmore, Gordon, Henderson, Mah, O'Hara, Peterson, Winn.

The bill passed, as amended.

HB 2502, AN ACT concerning agriculture; relating to swine production facilities and establishment procedures; amending K.S.A. 17-5907 and 17-5908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 8; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Ballard, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, Lane, LeDoux, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs, Flaharty, S. Gatewood, Kinzer, Kuether, Loganbill, McCray-Miller, Pauls.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Calloway, Collins, Dillmore, Gordon, Henderson, Mah, O'Hara, Peterson, Winn.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2503** be amended on page 3, in line 33, after "the" by inserting "secretary of the department of agriculture determines that the"; by striking all in lines 36 through 43;

On page 4, by striking all in lines 1 through 42;

And by renumbering sections accordingly;

On page 5, in line 39, by striking "74-555" and inserting "74-50,163";

On page 1, in the title, in line 2, by striking the third comma; in line 3, by striking "74-555"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2422** be amended on page 1, in line 32, by striking "except as provided by subsection (g),";

On page 3, in line 20, by striking "of \$75, which fee shall be in the"; by striking all in lines 21 and 22; in line 23, by striking "general, to be forwarded by the sheriff to the attorney general" and inserting "as provided by subsection (b)(2)"; in line 24, by striking "weapons" and inserting "handgun"; in line 38, after "officer" by inserting ", a parole officer or a corrections officer employed by the federal bureau of prisons"; also in line 38, by striking "75-"; in line 39, by striking "5201" and inserting "75-5202"; in line 40, by striking all after the first "fee"; by striking all in lines 41 and 42; in line 43, by striking "sheriff to the attorney general" and inserting "as provided by subsection (b) (2)";

On page 4, in line 1, by striking "weapons" and inserting "handgun"; also in line 1, by striking "certified by the"; by striking all in line 2; in line 3, by striking "body from another jurisdiction," and inserting "issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body"; also in line 3, by striking "eight years" and inserting "one year"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 22, by Representative Winn, congratulating Emily K. Fleming on being awarded 2012 Kansas Regional Teacher of the Year;

Request No. 23, by Representative O'Neal, congratulating All Kansas Cooperatives commemorating The "International Year of Cooperatives";

Request No. 24, by Representative Crum, congratulating Rose Hill Rockets for winning the 2011 Class 4A State Football Championship;

Request No. 25, by Representative Victors, honoring Chairman Steve Cadue in recognition for Outstanding Leadership as Tribal Chairman for his service to the people of the Kickapoo Tribe;

Request No. 26, by Representative Victors, honoring Chairman Steve Ortiz in recognition for Outstanding Leadership as Tribal Chairman for his service to the people of the Prairie Band Potawatomi Nation;

Request No. 27, by Representative Victors, honoring Chairman Mike Dougherty in recognition for Outstanding Leadership as Tribal Chairman for his service to the people of the Sac and Fox Nation of Missouri in Kansas;

Request No. 28, by Representative Victors, honoring Chairman Guy Munroe in recognition for Outstanding Leadership as Tribal Chairman for his service to the people of the of the Kaw Nation;

Request No. 29, by Representative Victors, honoring Chairman Tim Rhodd in recognition for Outstanding Leadership as Tribal Chairman for his service to the people of the Iowa Tribe of Kansas and Nebraska;

Request No. 30, by Representative Alford, congratulating Mable Roland on 101 years of longevity;

Request No. 31, by Representative Alford, congratulating Wayne DeCamp on celebrating his 92nd birthday;

Request No. 32, by Representative Alford, congratulating Avis Curtis on 98 years of longevity;

Request No. 33, by Representative Prescott, congratulating Richard Nienstedt for receiving the Kansas Association of City/County Management's Buford Watson Jr. Award of Excellence in Public Management;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2631, AN ACT concerning dental care; amending K.S.A. 2011 Supp. 65-1456 and 75-6102 and repealing the existing sections, by Committee on Health and Human Services.

HB 2632, AN ACT concerning crimes, criminal procedure and punishment; relating to reporting and investigation of missing persons; amending K.S.A. 2011 Supp. 75-712b and 75-712c and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6008**—

By Representative McCray-Miller

A RESOLUTION urging the State Board of Education to encourage school districts to administer the Kansas Communities That Care Survey.

WHEREAS, The Kansas Communities That Care youth survey, which is implemented and funded by the Addiction and Prevention Services division of the department of Social and Rehabilitation Services, tracks teen usage of harmful substances such as alcohol, tobacco and illegal drugs and provides information regarding teen participation in, perception of, and attitudes toward prosocial and antisocial behavior at the peer, school, family and community levels; and

WHEREAS, The survey provides measurable data concerning the risk and protective factors that influence behavior, attitudes and opinions of Kansas teens; and

WHEREAS, Such survey data is used to develop measurable outcomes that communities throughout the state choose to target, and can be used to track progress towards those outcomes; and

WHEREAS, The survey has been administered annually throughout the state, free of charge, since 1994; and

WHEREAS, In 2011, 101,600 students from 247 school districts, representing 70% of all eligible sixth, eighth, tenth and twelfth grade students all across Kansas, participated in the survey; and

WHEREAS, The survey data is an instrumental tool used by the Juvenile Justice Authority and the Kansas Advisory Group to make funding decisions and evaluate the effectiveness of youth programs: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge the State Board of Education to continue the widespread use of the Kansas Communities That Care survey to ensure that quality, reliable data can be gathered and implemented to serve the youth of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the members of the State Board of Education.

REPORT ON ENGROSSED BILLS

HB 2424, HB 2453, HB 2471, HB 2502 reported correctly engrossed February 2, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, February 6, 2012.

Journal of the House

TWENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 6, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Vickrey in the chair.

The roll was called with 120 members present.

Rep. Kuether was excused on verified illness.

Reps. Collins, Henderson, Kinzer and Shultz were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

K is for Kansans who we want to protect in each and every way;

A is for the answers that we seek from you today.

N is for negative thoughts that we should not allow;

S is for strength we need and what we are asking for now.

A is for all sides having equal opportunity to share;

S is for solutions that we request for in this prayer.

Father God – thank you for these leaders and their desire;
for all these requests, they pray and seek to acquire.

In Your Son’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Arpke.

Kansas Trivia Question – Kansas architect Thomas Williamson is best known for designing Jayhawk Tower and what other Topeka landmark?

Answer: Topeka High School

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2633, AN ACT concerning social welfare; relating to eligibility requirements of applicants for and recipients of food stamp assistance; amending K.S.A. 2011 Supp. 39-709 and repealing the existing section, by Committee on Health and Human Services.

HB 2634, AN ACT concerning schools; pertaining to teacher certification; pertaining to school employee performance and evaluation; pertaining to professional development; amending K.S.A. 72-1412, 72-1413, 72-1414, 72-1415, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 72-5413, 72-9002, 72-9003 and 72-9608 and repealing the existing sections, by Committee on Education.

HB 2635, AN ACT concerning taxation; relating to technical colleges; authority of

county or counties to impose and levy sales and property taxes for support thereof; procedures, by Committee on Vision 2020.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Commerce and Economic Development: **HB 2627.**

Corrections and Juvenile Justice: **HB 2632.**

Education: **HR 6008.**

Health and Human Services: **HB 2631.**

Judiciary: **HB 2629.**

Pensions and Benefits: **HB 2630.**

Taxation: **HB 2628.**

MESSAGE FROM THE GOVERNOR

Executive Reorganization Order No. 41

By Governor Sam Brownback

February 6, 2012

Pursuant to Article 1, Section 6(b) of the Constitution of the State of Kansas, I am transmitting this day Executive Reorganization Order No. 41 to both houses of the Kansas Legislature. Simultaneously with this Order, I am transmitting the accompanying Governor's Message.

Following nearly a year long process of stakeholder input and studying Medicaid, Lieutenant Governor Jeff Colyer, M.D. and I announced a comprehensive plan to reform Medicaid to improve the health of vulnerable Kansans while transforming Medicaid into a program that will be sustainable for years to come. A crucial component in the reform plan is to more efficiently administer the state agencies that administer the Medicaid program.

When Dr. Colyer and I came into office, Medicaid was spread across four state agencies, service was highly fragmented, and communication between agencies was a challenge. Following this reorganization, major Medicaid agencies will be consolidated from four to two and each more closely aligned with their core mission. The Kansas Department of Health and Environment Division of Health Care Finance will consolidate the financing arm of Medicaid. The former Department on Aging will become the Department for Aging and Disability Services, consolidating all disability waiver and mental health services from the Department of Social and Rehabilitation Services into one agency that will manage the programmatic functions of Medicaid. This reorganization will transform the Department of Social and Rehabilitation Services into the new Department for Children and Families which will focus, in a targeted way, on child and family welfare issues. The consolidations and transfers are summarized as follows:

1) The disability and behavioral health services section of the Kansas department for children and families as established by K.S.A. 75-3301, *et. seq*; K.S.A. 75-5375, *et. seq*; and other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, is transferred to the Kansas department for aging and disability services.

2) All institutions, as defined by subsection (b) of K.S.A. 76-12a01 and the programs operated by such institutions shall be transferred from the Kansas department for children and families to the Kansas department for aging and disability services.

3) Parts of the health occupations credentialing program of the department of health and environment under the Kansas act on credentialing, K.S.A. 65-5001 through 65-5011 along with other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, shall be transferred to and shall be administered by the secretary for aging and disability services.

4) The criminal history record check program, as authorized by individual credentialing statutes or rules and regulations, K.S.A. 39-969, K.S.A. 39-970, and subsection (b) of K.S.A. 22-4707, shall be transferred from the department of health and environment to the Kansas department for aging and disability services.

5) The psychiatric residential treatment facility licensure program of the department of health and environment under K.S.A. 65-501 *et seq.* along with other statutory and rule and regulation authority as set forth more fully in Executive Reorganization Order No. 41, is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof.

Kansas is asking providers and consumers of Medicaid to change the way they do business to improve outcomes for the most vulnerable Kansans while managing costs. This reorganization will enhance the Administration's ability to serve those Kansans in an effective and efficient manner. I look forward to working with the Legislature to achieve these important goals for Kansans.

Executive Reorganization Order No. 41
By Governor Sam Brownback
Transmitted February 6, 2012

Section 1. The department on aging is hereby renamed the Kansas department for aging and disability services. Except as otherwise provided by this order, whenever the department on aging, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services. Except as otherwise provided by this order, whenever the secretary of aging, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary for aging and disability services.

Sec. 2. The department of social and rehabilitation services is hereby renamed the Kansas department for children and families. Whenever the department of social and rehabilitation services, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department for children and families. Except as otherwise provided by this order, whenever the secretary of social and rehabilitation services, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other

document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary for children and families.

Sec. 3. (a) The disability and behavioral health services section of the Kansas department for children and families is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The disability and behavioral health services section transferred to the Kansas department for aging and disability services by this order shall be administered by the secretary for aging and disability services.

The programs to be transferred by this section are:

(1) Mental health and substance abuse, serious emotionally disturbed, developmental disability, physical disability, traumatic brain injury, autism, technology assistance, and money-follows-the-person Medicaid waivers and programs;

(2) licensure and regulation of community mental health centers, as defined by K.S.A. 75-3307b, and amendments thereto;

(3) regulation of community developmental disability organizations, as defined by K.S.A. 75-3307b, and amendments thereto;

(4) licensure of private psychiatric hospitals, as defined by K.S.A. 75-3307b, and amendments thereto;

(5) licensure and regulation of facilities and providers of residential services, as defined by K.S.A. 75-3307b, and amendments thereto;

(6) licensure and regulation of providers of addiction and prevention services, as defined by K.S.A. 75-5375, *et. seq.*; and

(7) any other programs and related grants administered by the disability and behavioral health services section of the Kansas department for children and families prior to the effective date of this order.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for children and families pertaining to the disability and behavioral health services section transferred by this order, including that agency's designation as the Medicaid single state authority for substance abuse and for mental health, are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the Kansas department for children and families pertaining to the disability and behavioral health services section transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the Kansas department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 4. (a) All institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, and the programs operated by such institutions are hereby transferred from the Kansas department for children and families to the Kansas department for aging and disability services. All such institutions shall be administered by the secretary for aging and disability services.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for children and families pertaining to the programs and operation of the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto,

are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the Kansas department for children and families pertaining to the programs and operation of institutions that are transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the Kansas department for children and families in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 5. (a) Whenever the Kansas department for children and families, the secretary for children and families, or words of like effect, is referred to or designated by a statute, contract, or other document and such reference is in regard to any of the powers, duties, or functions transferred to the Kansas department for aging and disability services from the Kansas department for children and families by this order, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services or the secretary for aging and disability services.

(b) All rules and regulations, orders, and directives of the Kansas department for children and families, or the secretary for children and families, or words of like effect, which relate to the functions transferred by this order and which are in effect on the effective date of this order, shall continue to be effective and shall be deemed to be rules and regulations, orders, and directives of the Kansas department for aging and disability services and the secretary for aging and disability services until revised, amended, revoked, or nullified pursuant to law.

(c) The secretary for aging and disability services shall determine the manner in which disability and behavioral health programs are organized within the Kansas department for aging and disability services.

(d) The secretary for aging and disability services shall determine the manner in which programs provided by the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, are organized within the Kansas department for aging and disability services.

Sec. 6. (a) The secretary for aging and disability services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to disability and behavioral health functions and institution functions of the Kansas department for aging and disability services.

(b) All officers and employees in the Kansas department for children and families who, immediately prior to the effective date of this order, were engaged in the exercise and performance of the powers, duties, and functions transferred by this order, and who are determined by the secretary for aging and disability services to be necessary for the exercise and performance of the powers, duties, and functions transferred by this order, are hereby transferred to the Kansas department for aging and disability services. In addition, all officers and employees who are determined jointly by the secretary for aging and disability services and the secretary for children and families to have been engaged in providing necessary administrative, technical or other support to the disability and behavioral health services section and to the institutions, as defined in subsection (b) of K.S.A. 76-12a01, and amendments thereto, immediately prior to the effective date of this order, are hereby transferred to the Kansas department for aging

and disability services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary for aging and disability services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees who are transferred by this order to the Kansas department for aging and disability services shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such officer or employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs, or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by the Kansas department for children and families prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this section prescribing the transfer of officers and employees from the Kansas department for children and families to the Kansas department for aging and disability services shall be administered so that the date of transfer of such personnel shall be the start of a payroll period.

Sec. 7. (a) The balances of all funds or accounts thereof appropriated or reappropriated for the Kansas department for children and families relating to the powers, duties, and functions transferred by this order are hereby transferred within the state treasury to the Kansas department for aging and disability services and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the Kansas department for aging and disability services under this order shall be assumed and paid by the Kansas department for aging and disability services.

(c) The problem gambling and addictions grant fund and all fees, grant funds, and loan repayment funds of the Kansas department for children and families dedicated to programs transferred by this order shall be transferred to the Kansas department for aging and disability services.

Sec. 8. (a) The following parts of the health occupations credentialing program of the department of health and environment under the Kansas act on credentialing, K.S.A. 65-5001 through 65-5011, and amendments thereto, shall be transferred to and shall be administered by the secretary for aging and disability services:

(1) Licensure of adult care home administrators, as defined by subsection (c) of K.S.A. 65-3501, and amendments thereto;

(2) licensure of dieticians, as defined by subsection (f) of K.S.A. 65-5902, and amendments thereto;

(3) certification of residential care facility operators, as defined by subsection (a)(21) of K.S.A. 39-923, and amendments thereto;

(4) certification of activity directors, as defined by subsection (a) of K.A.R. 26-39-100 on the effective date of this order;

(5) certification of social service designees, as defined by subsection (ppp) of K.A.R. 26-39-100 on the effective date of this order;

(6) certification of nurse aides, as defined by subsection (pp) of K.A.R. 26-39-100 on the effective date of this order;

(7) certification of medication aides as defined by subsection (mm) of K.A.R. 26-39-

100 on the effective date of this order;

(8) certification of home health aides as defined by subsection (d) of K.S.A. 65-5101, and amendments thereto; and

(9) maintenance of the Kansas nurse aide registry under subsection (c) of K.S.A. 39-936, and amendments thereto, and K.S.A. 39-1411, and amendments thereto.

(b) The criminal history record check program, as authorized by individual credentialing statutes or rules and regulations, K.S.A. 39-969, and amendments thereto, K.S.A. 39-970, and amendments thereto, and subsection (b) of K.S.A. 22-4707, and amendments thereto, is hereby transferred from the department of health and environment to the Kansas department for aging and disability services and shall be a part thereof.

(c) The licensure of adult care home administrators, the licensure of dieticians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the maintenance of the Kansas nurse aide registry, and the criminal history record check program shall be administered by the secretary for aging and disability services. Nothing in this order shall change or diminish the authority of the board of adult care home administrators established by K.S.A. 65-3506, and amendments thereto.

(d) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of health and environment pertaining to the licensure of adult care home administrators, the licensure of dieticians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the Kansas nurse aide registry, and the criminal record check program transferred by this order are hereby transferred to and imposed upon the secretary for aging and disability services.

(e) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the department of health and environment pertaining to those portions of the health occupations credentialing program transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 9. (a) The psychiatric residential treatment facility licensure program of the department of health and environment is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The psychiatric residential treatment facility licensure program shall be administered by the secretary for aging and disability services. As used in this section, "psychiatric residential treatment facility licensure program" means that portion of the licensure program of the department of health and environment under K.S.A. 65-501 *et seq.*, for licensure of child care facilities, as defined by subsection (c) of K.S.A. 65-503, and amendments thereto, that are psychiatric residential treatment facilities, as defined by subsection (k) of K.A.R. 28-4-1200 on the effective date of this order, and subsection (g)(3) of K.S.A. 72-8187,

and amendments thereto.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by this order are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties, and functions of the department of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 10. (a) Whenever the department of health and environment, the secretary of health and environment, or words of like effect are referred to or designated by a statute, contract, or other document and such reference is in regard to any of the powers, duties, or functions transferred from the department of health and environment to the Kansas department for aging and disability services by this order, such reference or designation shall be deemed to apply to the Kansas department for aging and disability services or the secretary for aging and disability services.

(b) All rules and regulations, orders, and directives of the department of health and environment which relate to the functions transferred to the Kansas department for aging and disability services by this order and which are in effect on the effective date of this order shall continue to be effective and shall be deemed to be rules and regulations, orders, and directives of the Kansas department for aging and disability services until revised, amended, revoked, or nullified pursuant to law.

(c) The secretary for aging and disability services shall determine the manner in which the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the maintenance of the Kansas nurse aide registry programs, and the criminal history record check program are organized within the Kansas department for aging and disability services.

(d) The secretary for aging and disability services shall determine the manner in which the psychiatric residential treatment facility licensure program shall be organized within the Kansas department for aging and disability services.

Sec. 11. (a) The secretary for aging and disability services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the maintenance of the Kansas nurse aide registry programs, the criminal history record check program, and the psychiatric residential treatment facility licensure program of the Kansas department for aging and disability services.

(b) All officers and employees in the department of health and environment who,

immediately prior to the effective date of this order, were engaged in the exercise and performance of the powers, duties, and functions transferred by this order, and who are determined by the secretary for aging and disability services to be necessary for the exercise and performance of such powers, duties, and functions transferred by this order, are hereby transferred to the Kansas department for aging and disability services. In addition, all officers and employees who are determined jointly by the secretary for aging and disability services and the secretary of health and environment to have been engaged in providing necessary administrative, technical or other support to the transferred programs are hereby transferred to the Kansas department for aging and disability services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary for aging and disability services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees in the department of health and environment transferred by this order shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs, or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by the department of health and environment prior to the date of transfer.

(d) Notwithstanding the effective date of this order, the provisions of this section prescribing the transfer of officers and employees from the department of health and environment to the Kansas department for aging and disability services shall be administered so that the date of transfer of such personnel shall be the start of a payroll period.

Sec. 12. (a) The balances of all funds or accounts thereof appropriated or reappropriated for the department of health and environment relating to the powers, duties, and functions transferred by this order are hereby transferred within the state treasury to the Kansas department for aging and disability services and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the Kansas department for aging and disability services under this order shall be assumed and paid by the Kansas department for aging and disability services.

(c) Subject to the acts of the legislature, all fees, grant funds, and loan repayment funds in the department of health and environment dedicated to programs transferred by this order shall be transferred to the Kansas department for aging and disability services.

Sec. 13. (a) The Kansas department for aging and disability services shall succeed to all property, property rights, and records which were used for or pertain to the performance of powers, duties, and functions transferred to it by this order. Any conflict as to the proper disposition of property, personnel, or records arising under this order shall be determined by the governor, whose decision shall be final.

(b) When any conflict arises as to any power, duty, or function resulting from any transfer made by or under the authority of this order, such conflict shall be resolved by

the governor, whose decision shall be final.

Sec. 14. (a) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The court may allow any such suit, action, or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this order.

Sec. 15. Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2012, unless disapproved by either house of the Kansas legislature as provided by subsection (c) of section 6 of article 1 of the constitution of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

DONE AT The Capitol in Topeka
Under the Great Seal of the
State of Kansas this 6th day
of February 2012.

BY THE GOVERNOR
SAM BROWNBACK

KRIS KOBACH
Secretary of State
ERIC RUCKER
Assistant Secretary of State

MESSAGE FROM THE SENATE

Announcing passage of **SB 207, SB 249, SB 258, SB 259, SB 264, SB 265, SB 266, SB 270, SB 272, SB 274, SB 275, SB 279, SB 280, SB 289, SB 290, SB 291, SB 292, SB 293, SB 294, SB 297, SB 303.**

Announcing passage of **Sub HB 2178.**

Announcing adoption of **HCR 5016.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 207, SB 249, SB 258, SB 259, SB 264, SB 265, SB 266, SB 270, SB 272, SB 274, SB 275, SB 279, SB 280, SB 289, SB 290, SB 291, SB 292, SB 293, SB 294, SB 297, SB 303.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. O'Neal, **HR 6006**, a resolution in memory of Representative Rocky Fund, was adopted.

Remarks of Rep. O'Neal:

During my 28 years of service here in the Kansas House, it's been my distinct privilege to serve with many wonderful Kansans who have come from all corners of the state and from all walks of life. Many have left lasting impressions in their own way but some stand out more than others in ways that are as surprising as they are remarkable.

To me, Rocky was one of those remarkable shining lights, a man who lit up a room by his mere presence and warmed your heart with his kind and respectful demeanor. A true servant of his constituents, he embodied all that is good in a democratic process.

In these 28 years I've mourned the loss of several colleagues whom God has called home before our hearts were ready. This loss, in many ways, has been my most difficult to accept, but accept it I must and today we honor Rocky's memory and thank his family members for their unselfish act of sharing Rocky with us.

Joining us today are a number of Rocky's family members, including his loving wife Linda, son Matt and wife Angalee, granddaughter Layla and grandson Cody. His daughter Jesse could not be with us today. We are also joined by brothers Alan and wife Brenda Fund, Larry and wife Betty Fund, Dennis and wife Mary Beth Fund and sisters Sharon Heiman, Karen McClaskey and Nancy and husband Larry Rilinger.

Linda, please know how much we appreciate Rocky's service. He will always represent to those of us who knew him the best example of selfless and honorable service. He inspired us and is and will be greatly missed.

The following written remarks of Rep. LeDoux are printed with special permission:

Today I pay tribute to my predecessor, the late Representative Rocky Fund. You all had the privilege of serving in this body with Rocky, and each of you knows what a kind and warm-hearted gentleman he was.

Rocky served his fellow man in many ways; he was a member of the armed services, a longtime educator in Jackson County public schools, and a farrier who helped many a farmer and rancher with his unique skills. Finally, Rocky was a dedicated member of the Kansas House of Representatives. While here, he served those of us back home with characteristic honor, integrity and humility.

In 2006, Rocky and I both ran for the 50th District seat when the previous occupant retired. In that race, Rocky defeated me by a little over 100 votes. But Mr. Speaker, there was no sting in that defeat. Rocky was a good and decent man, and I can tell you, when you get beat by a good person, it doesn't hurt so bad. Rocky won on a Tuesday, and when the sun came up on Wednesday, I went to our local newspaper and placed an ad thanking my supporters and urging them all to support Rocky. As I said then "Rocky Fund is a good man, and he will serve us well". My friends, he did exactly that; for the ensuing five years Rocky Fund served his neighbors back home ably.

So today, Mr. Speaker, I rise to honor Rocky's memory and to give thanks for his selfless service to Kansas. To his wife, Linda, and his children Matt and Jesse, I say thank you for sharing your husband and father with the rest of us.

And to Representative Rocky Fund, Godspeed. Well done, good and faithful servant. Well done.

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Utilities** recommends **HB 2489**, **HB 2526** be passed.

Committee on **Health and Human Services** recommends **HB 2525** be amended on page 2, in line 5, by striking "punctual" and inserting "punctal";

On page 21, following line 39, by inserting:

"Sec. 12. K.S.A. 2011 Supp. 74-1503 is hereby amended to read as follows: 74-1503. (a) At the regular meeting of the board in April of every year it shall elect from its own membership a president, a vice-president and a secretary-treasurer. Members of the board of examiners in optometry attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The board may appoint a secretary-treasurer who shall be in the unclassified service of the Kansas civil service act. The secretary-treasurer shall receive an annual salary which shall be fixed by the board and approved by the state finance council.

(b) The board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the optometry fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or by a person or persons designated by the president.

(c) There is hereby created in the state treasury the optometry litigation fund. All moneys credited to the fund shall be used to pay all costs and fees associated with litigation expenses of the board of examiners in optometry. The unencumbered balance in such fund shall not exceed \$400,000. The fund shall be administered by the board. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.;

And by renumbering sections accordingly;

Also on page 21, in line 42, after "4101" by inserting ", 74-1503";

On page 1, in the title, in line 3, after "65-4101" by inserting ", 74-1503"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 211** be amended on page 1, in line 6, by striking "2010" and inserting "2011"; in line 23, by striking "legend" and inserting "prescription";

On page 3, in line 14, by striking "2010" and inserting "2011";

On page 1, in the title, in line 2, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2212** be amended on page 1, in line 32, by striking "2010" and inserting "2011";

On page 2, in line 21, by striking "2010" and inserting "2011";

On page 1, in the title, in line 3, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2636, AN ACT concerning crimes, criminal procedure and punishment; relating to denial of civil rights; relating to sexual orientation and gender identity; amending K.S.A. 2011 Supp. 21-6102 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2637, AN ACT concerning workers in shared employment arrangements; amending K.S.A. 2011 Supp. 40-955 and repealing the existing section, by Committee on Commerce and Economic Development.

HB 2638, AN ACT concerning the employment security law; pertaining to the state employee security advisory council; pertaining to benefits; pertaining to notice for experience ratings; pertaining to rates; amending K.S.A. 2011 Supp. 44-704, 44-710a, 44-710b and 44-714 and repealing the existing sections, by Committee on Commerce and Economic Development.

HB 2639, AN ACT concerning municipalities; relating to commercial solid waste activity, by Committee on Local Government.

REPORT ON ENROLLED RESOLUTIONS

HR 6007 reported correctly enrolled and properly signed on February 6, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, February 7, 2012.

Journal of the House

TWENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 7, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Reps. Grant, Kuether and Tietze were excused on verified illness.

Rep. Fawcett was excused on legislative business.

Reps. Collins and Henderson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Lord,

These things I specifically pray for today for these leaders:

strength and stamina to endure the long days;

wisdom and discernment to make the right choices;

a sense of humor and lightheartedness to lessen the tension;

kind words and actions to avoid hostility;

patience and gentleness when responding to constituents and each other;

and a peace and understanding that only comes from You.

And if all else fails—remind them of Your unfailing love for them...

that thought alone is enough to help them

through anything life throws their way.

In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Meier.

Kansas Trivia Question – What famous Oklahoma television minister got his start preaching in Kinsley?

Answer: Oral Roberts

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Bowers are spread upon the Journal:

2012 has been designated “International Year of Cooperatives” globally, and here in Kansas, Governor Brownback has proclaimed 2012 as the “Year of Cooperatives” as well. Cooperatives are member-owned, member-controlled business’ where profits are returned to patrons based on the volume of business conducted with the co-op.

The co-op business model is adaptable to nearly every sector of our economy. In

Kansas, the success of the business model is evident in every county in our state through more than 239 individual cooperatives doing business in our state as credit unions, rural electric and telecommunications providers, consumers and grocery cooperatives, housing co-ops, Farm Credit associations, and grain and farm supply cooperatives.

The “Year of Cooperatives” theme – Cooperative Enterprises Build a Better World” emphasizes how cooperative businesses positively influence members lives and the communities around them. By meeting member needs, cooperatives provided light to rural Kansas, opened marketing opportunities for ag producers, brought financing options to communities, and increased housing and grocery choices. Co-op are also vital community members contributing to youth programs, supporting charitable initiatives, and providing good jobs all across our state. Our Kansas cooperatives are carrying forward on the mission to build better communities, a better state and to better the world around them.

It is my pleasure to recognize the “Year of Cooperatives” and our co-ops across Kansas. We have several cooperative members in the statehouse today - the Kansas Credit Union Association’s Day at the Capitol and members of the KCUA and Kansas Cooperative Council in the gallery this morning.

The House Certificate requested by Representative Michael O’Neal reads:

Be it hereby known to all that: Sincere congratulations are offered to ALL KANSAS COOPERATIVES for contributing to the success of individuals and communities across the state and for helping to build a better state and world commemorating The “International year of Cooperatives” – 2012. The entire membership extends it very best wishes on this memorable achievement and continued success.

Again, congratulations to all our Kansas cooperatives as we celebrate the “Year of Cooperatives” today and throughout 2012.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2640, AN ACT concerning state employees; relating to longevity bonus payments; amending K.S.A. 2011 Supp. 75-5541 and repealing the existing section, by Committee on Appropriations.

HB 2641, AN ACT concerning county appraisers; providing for the election of county appraisers; amending K.S.A. 19-425, 19-432, 19-433, 19-434, 19-435, 75-5105a, 79-1412a and 79-1455 and K.S.A. 2011 Supp. 25-101, 25-213, 25-611, 79-1476 and 79-1479 and repealing the existing sections; also repealing K.S.A. 19-426, 19-428, 19-430 and K.S.A. 2011 Supp. 19-431, by Representative LeDoux.

HB 2642, AN ACT concerning oil and gas; relating to applications to drill; amending K.S.A. 2011 Supp. 55-151 and repealing the existing section, by Committee on Energy and Utilities.

HB 2643, AN ACT concerning water; relating to reservoir improvement districts, by Committee on Joint Committee on Energy and Environmental Policy.

HB 2644, AN ACT providing for a change in terminology in the statutes from the term mental retardation and similar terms to the term intellectual disability and similar terms; amending K.S.A. 17-1762, 19-4001, 19-4002, 19-4002a, 19-4002b, 19-4003, 19-4004, 19-4005, 19-4007, 19-4009, 19-4010, 19-4011, 39-927, 39-971, 39-1001, 39-1002, 39-1005, 39-1006, 39-1007, 39-1201, 39-1202, 39-1205, 39-1207, 39-1803, 58-

24a16, 59-2946, 59-2972, 59-3077, 65-5a14, 65-3501, 65-4202, 65-4212, 65-4411, 65-4412, 65-4413, 65-4414, 65-4415, 65-5601, 72-6203, 74-8917, 75-4375, 75-5399, 75-6508, 76-12b01, 76-12b02, 76-12b03, 76-12b07, 76-12b11 and 76-17c01 and K.S.A. 2011 Supp. 12-1675, 21-5417, 21-6622, 39-923, 39-936, 39-1401, 39-1702, 40-3401, 50-676, 65-180, 65-1124, 65-1626, 65-4915, 65-4921, 65-6805, 72-962, 74-5344, 75-4265, 75-5321a, 75-6506, 75-6609, 75-6610, 75-7303 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g, by Representatives Rhoades and Schroeder.

HB 2645, AN ACT concerning schools; relating to personal financial literacy courses; amending K.S.A. 72-1103 and K.S.A. 2011 Supp. 72-7535 and repealing the existing sections, by Committee on Education.

HB 2646, AN ACT concerning cities; relating to abandoned property and qualifications thereof; amending K.S.A. 2011 Supp. 12-1750 and repealing the existing section, by Committee on Local Government.

HB 2647, AN ACT concerning personal and real property; relating to the self-service storage act; amending K.S.A. 58-817 and repealing the existing section, by Committee on Judiciary.

HB 2648, AN ACT concerning crimes, punishment and criminal procedure; relating to expungement; conviction or adjudication of abuse of a child; amending K.S.A. 2011 Supp. 21-6614 and 38-2312 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 38-2312a and 38-2312b, by Committee on Judiciary.

HB 2649, AN ACT repealing K.S.A. 24-105, 82a-312, 82a-313 and 82a-314 and K.S.A. 2011 Supp. 82a-735; concerning water, by Committee on Government Efficiency.

HB 2650, AN ACT concerning the executive branch chief information technology officer; relating to duties; renaming the division of information systems and communications; amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-9303, 74-9306, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-4704, 75-4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715, 75-4716, 75-6512 and 76-389 and K.S.A. 2011 Supp. 46-1503, 74-9304, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections, by Committee on Government Efficiency.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and ERO were referred to committees as indicated:

Agriculture and Natural Resources: **SB 272, SB 289.**

Appropriations: **SB 294.**

Commerce and Economic Development: **HB 2637, HB 2638.**

Corrections and Juvenile Justice: **SB 249, SB 279.**

Education: **SB 258, HB 2634.**

Federal and State Affairs: **SB 270, SB 274, SB 275.**

Financial Institutions: **SB 265.**

Government Efficiency: **ERO 41.**

Health and Human Services: **SB 290, SB 303, HB 2633.**

Insurance: **SB 264, SB 266.**

Judiciary: **SB 280, SB 291, SB 292, SB 293, SB 297, HB 2636.**

Local Government: **SB 207, HB 2639.**

Pensions and Benefits: **SB 259.**

Taxation: **HB 2635.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6009**—

By Representatives O'Brien, Arpke, Calloway, Garber, Goodman, Gregory, Grosserode, M. Holmes, Huebert, Kelley, Knox, Mast, Meigs, O'Hara and Scapa

A RESOLUTION urging the United States Congress to adopt the parental rights amendment, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

WHEREAS, The right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitution of the United States and the state of Kansas; and

WHEREAS, Our nation has historically relied first and foremost on parents to meet the real and constant needs of children; and

WHEREAS, The interests of children are best served when parents are free to make child-rearing decisions about education, religion and other areas of a child's life without state interference; and

WHEREAS, The United States Supreme Court in *Wisconsin v. Yoder*, 406 U.S. 205 (1972), held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

WHEREAS, The United States Supreme Court in *Troxel v. Granville*, 530 U.S. 57 (2000), however, produced six different opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

WHEREAS, This decision created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states; and

WHEREAS, Representative John Fleming of the state of Louisiana introduced House Joint Resolution 3 in the United States House of Representatives, proposing an amendment to the Constitution of the United States to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, which reads as follows:

"Section 1. The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section 2. Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section 3. No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article."; and

WHEREAS, This amendment will add explicit text to the Constitution of the United States to protect in perpetuity the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

WHEREAS, Such enumeration of these rights in the text of the Constitution of the

United States will preserve them from being infringed upon by the shifting ideologies and interpretations of the United States Supreme Court: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Congress of the United States is urged to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States proposed by Representative John Fleming in House Joint Resolution 3; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President of the Senate, each member of the United States Senate, the speaker of the United States house of Representatives and each member of the United States House of Representatives.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Suellentrop in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Suellentrop, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2298** be passed.

Committee report to **HB 2460** be adopted; and the bill be passed as amended.

Committee report to **HB 2446** be adopted; also, on motion of Rep. Hedke to amend, the motion did not prevail.

Also, on motion of Rep. Knox to amend **HB 2446**, Rep. Dillmore requested the question be divided. Rep. Dillmore subsequently withdrew his request. The question reverted back to the motion of Rep. Knox and **HB 2446** be amended on page 2, following line 9, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 66-1258 is hereby amended to read as follows: 66-1258. (a) The commission shall establish by rules and regulations a portfolio requirement for all affected utilities to generate or purchase electricity generated from renewable energy resources or purchase renewable energy credits. For the purposes of calculating the capacity from renewable energy credit purchases, the affected utility shall use its actual capacity factor from its owned renewable generation from the immediately previous calendar year. Renewable energy credits may only be used to meet a portion of portfolio requirements for the years 2011, 2016 and 2020, unless otherwise allowed by the commission. Such portfolio requirement shall provide net renewable generation capacity that shall constitute the following portion of each affected utility's peak demand:

(1) Not less than 10% of the affected utility's peak demand for calendar years 2011 through 2015, based on the average demand of the prior three years of each year's requirement;

(2) except as provided in subsection (b), not less than 15% of the affected utility's peak demand for calendar years 2016 through 2019, based on the average demand of the prior three years of each year's requirements; and

(3) except as provided in subsection (b), not less than 20% of the affected utility's peak demand for each calendar year beginning in 2020, based on the average demand of the prior three years of each year's requirement.

(b) If on January 1, 2016, construction of the facility authorized by the issuance of a permit pursuant to K.S.A. 2011 Supp. 65-3029, and amendments thereto, has not

begun, than the portfolio requirement described in subsection (a) shall be not less than 10% of the affected utility's peak demand based on the average demand of the prior three years of each year's requirement.

~~(b)~~ (c) The portfolio requirements described in subsection (a) shall apply to all power sold to Kansas retail consumers whether such power is self-generated or purchased from another source in or outside of the state. The capacity of all net metering systems interconnected with the affected utilities under the net metering and easy connection act in K.S.A. 2011 Supp. 66-1263 *et seq.*, and amendments thereto, shall count toward compliance.

(c) Each megawatt of eligible capacity in Kansas installed after January 1, 2000, shall count as 1.10 megawatts for purposes of compliance.

(d) The commission shall establish rules and regulations required in this section within 12 months of the effective date of this act.";

And by renumbering sections accordingly;

Also on page 2, in line 10, by striking "is" and inserting "and 66-1258 are";

On page 1, in the title, in line 2, after "66-1257" by inserting "and 66-1258"; in line 3, by striking "section"; and inserting "sections";

Also, on motion of Rep. O'Neal, **HB 2446** be referred to Committee on Appropriations.

Committee report to **HB 2461** be adopted; also, on motion of Rep. M. Holmes, be amended on page 3, in line 30, by striking "25%" and inserting "15%";

On page 7, following line 35, by inserting:

"(e) The board shall prepare and submit an alternative investment report to the joint committee on pensions, investments and benefits prior to January 1, 2016. Such report shall include a review of alternative investments of the system with an emphasis on the effects of changes in law pursuant to this act and includes specific investment cost and market value information of each individual alternative investment."; and **HB 2461** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2531** be amended on page 1, in line 16, by striking "society for human resource management" and inserting "the Kansas state council of the society for human resource management (KS SHRM)";

On page 11, in line 40, after the period by inserting "No board member shall serve more than two consecutive terms."; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2455** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2455," as follows:

"Substitute for HOUSE BILL NO. 2455

By Committee on Energy and Utilities

"AN ACT concerning the motor fuel tax."; and the substitute bill be passed.

(**Sub HB 2455** was thereupon introduced and read by title.)

Committee on **Energy and Utilities** recommends **HB 2472** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Insurance** recommends **HB 2486** be passed.

Committee on **Judiciary** recommends **HB 2253** be amended on page 1, in line 8, by striking all after "legislature"; in line 9, by striking all before "shall" and inserting "that no statute, rule, regulation or other enactment of the state"; in line 10, by striking "a"; also in line 10 by striking "in the legislation" and inserting "therein"; following line 14, by inserting:

"(d) Nothing in this act shall be construed to prevent the breach of any duty imposed by law from being used as the basis for a cause of action under any theory of recovery otherwise recognized by law, including, but not limited to, theories of recovery under the law of torts or contract."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2473** be amended on page 4, in line 37, after the the comma by inserting "and a report signed by the witness which is disclosed in lieu of the disclosure required by subsection (b)(6)."; and the bill be passed as amended.

Committee on **Redistricting** recommends **HB 2606** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **HCR 5031** be adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2651, AN ACT concerning alcoholic beverages; amending K.S.A. 41-306a, 41-307, 41-308, 41-701, 41-2612, 41-2614, 41-2640, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622, 41-2629 and 79-41a03 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2652, AN ACT concerning colleges and universities, relating to tuition; amending K.S.A. 2011 Supp. 76-729 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2653, AN ACT concerning racial or other biased-based policing; amending K.S.A. 2011 Supp. 22-4606, 22-4609, 22-4610, 22-4611, 22-4611a and 22-4611b and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2654, AN ACT concerning extension districts; relating to withdrawal procedures; amending K.S.A. 2-628 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2655, AN ACT concerning crimes and punishments; relating to interference with judicial process; amending K.S.A. 2011 Supp. 21-5905 and repealing the existing section, by Committee on Judiciary.

HB 2656, AN ACT concerning state government; relating to the transfer of all powers, duties and functions of the adult protective services program of the department of social and rehabilitation services to the office of the attorney general of the state of Kansas, by Committee on Aging and Long-term Care.

HB 2657, AN ACT creating the joint committee on the oversight of the state fire marshal's office; amending K.S.A. 46-1001 and 46-1004 and repealing the existing sections, by Representative Otto.

HB 2658, AN ACT concerning runaways; relating to placement in a secure facility, by Committee on Children and Families.

HB 2659, AN ACT concerning public health; relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502, 65-6503, 65-6506, 65-6507, 65-6508 and 65-6512 and K.S.A. 2011 Supp. 65-6505 and 65-6509 and repealing the existing sections, by Committee on Health and Human Services.

HB 2660, AN ACT concerning the department of health and environment; relating to the licensure of maternity centers and child care facilities; amending K.S.A. 2011 Supp. 65-503, 65-504, 65-506, 65-508, 65-516, 65-523 and 65-524 and repealing the existing sections; also repealing K.S.A. 65-502, by Committee on Health and Human Services.

HB 2661, AN ACT concerning municipalities; relating to municipally-owned or operated utilities; rates, by Committee on Energy and Utilities.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, February 8, 2012.

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 8, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 125 members present.

Prayer by guest chaplain, Chairman Steve Ortiz, of Mayetta, and guest of Rep. Victors:

Bosho – Legislators
Today we call on the Creator to
Bless this day, our families, elders, veterans, and children.
May the Creator guide you to look out for the needs of our people
and Indian nations in Kansas.
May the Creator enlighten your decision making as you deal with
the issues of the State.
Creator, bless us all with your compassion.
God bless the State of Kansas, the United States of America
and its native peoples.
Megwich.

The Pledge of Allegiance was led by Rep. Victors.

Kansas Trivia Question – Although Harold Ross and Jane Grant, the married founders of a national magazine, targeted it specifically at people who were not from Dubuque, Iowa, Grant may have had in mind the Kansans in her home town of Girard. What is the name of Ross and Grant's magazine that was not for little old ladies?

Answer: The New Yorker

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Crum are spread upon the Journal:

It is a great pleasure to introduce the 2011 Class 4A Champion Rose Hill Football team. The Rockets under the direction of head coach, Greg Slade, went 13 and 1 and wrapped up it's first state football championship in fine fashion with a shut-out over Eudora 21 to 0 in the championship game.

The Rockets demonstrated great team work all season and learned that hard work and dedication can result in success.

Rep. Crum presented a framed House certificate to the team.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Victors are spread upon the Journal:

Today, I invited the Kansas Native American tribes, businesses, organizations and Haskell University for the 1st Annual Native American day at the Kansas state capitol. I believe this day is important to help raise issues about Native Americans at the state level. This day will help serve as a reminder of the relationship between the state and its tribal communities and to strengthen our government to government relationships. I hope to continue this tradition in order to take an opportunity to celebrate and honor the history, customs, cultures, and traditions of the tribes of the great state of Kansas. Now, I would like to introduce the tribal chairmen of the Kansas tribes and present them with a certificate and a traditional Native American blanket for appreciation of the work they do for their tribes. Now let me introduce our guests, Prairie band of Potawatomi Nation, Chairman Steve Ortiz: Kickapoo Nation of Kansas, Chairman Steve Cadue: Sac & Fox Nation, Chairman Mike Dougherty, and representation from the Iowa tribe of Kansas and Nebraska, and the Kaw Nation.

Now let me leave you with a quote from my very great grandfather, Chief Standing Bear of the Ponca tribe, who was the first Native American to be successful in U.S. District Court in 1879, which granted "Native Americans are persons within the meaning of the law." In 1879, the trial drew to a close; the judge announced that Chief Standing Bear would be allowed to make a speech in his own behalf. Raising his right hand, Chief Standing Bear proceeded to speak. Among his words were, "This hand is not the color of yours, but if I prick it, the blood will flow, and I shall feel pain," said Standing Bear. "The blood is of the same color as yours. God made me, and I am a man." Therefore, the law should protect and give the same rights to Native Americans.

Rep. Victors presented framed House certificates and a traditional Native American blanket to the representatives from each tribe.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2662, AN ACT concerning counties; relating to certain solid waste disposal areas; pertaining to solid waste management plans; amending K.S.A. 65-3405 and repealing the existing section, by Committee on Local Government.

HB 2663, AN ACT concerning energy; creating the efficiency Kansas loan program, by Committee on Energy and Utilities.

HB 2664, AN ACT creating the Kansas empowerment scholarship act; amending K.S.A. 2011 Supp. 72-6407 and repealing the existing section, by Representative Kiegerl.

HB 2665, AN ACT concerning disposal of paint and paint related waste, by Representative Brown.

HB 2666, AN ACT concerning experience requirements for certain contractors; amending K.S.A. 2011 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing

sections, by Committee on Commerce and Economic Development.

HB 2667, AN ACT concerning taxation; relating to income tax, rates; sales taxation, exemptions, rates and distribution of revenue and imposition of tax on certain services; eliminating food sales tax refund; local compensating use tax; duties of secretary of revenue; local property tax reductions; amending K.S.A. 2011 Supp. 12-198, 79-32,110, 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 79-3632, 79-3634, 79-3636 and 79-3638 and K.S.A. 2011 Supp. 79-3606g, 79-3633, 79-3635, 79-3637, 79-3639 and 79-3639a, by Committee on Taxation.

HB 2668, AN ACT repealing K.S.A. 19-322; concerning the recording of farm names, by Committee on Government Efficiency.

HB 2669, AN ACT repealing K.S.A. 19-901, 19-902, 19-903 and 19-904; concerning matron of a county jail, by Committee on Government Efficiency.

HB 2670, AN ACT repealing K.S.A. 79-414; concerning certain duties of the county clerk, by Committee on Government Efficiency.

HB 2671, AN ACT abolishing the legislative post audit committee and transferring the duties to the legislative coordinating council; amending K.S.A. 46-152, 46-1001, 46-1004, 46-1102, 46-1103, 46-1108, 46-1109, 46-1113, 46-1116, 46-1120, 46-1122, 46-1127, 46-1128, 46-1202, 46-1206 and 46-1221 and K.S.A. 2011 Supp. 46-1106, 46-1114, 46-1118, 46-1129 and 46-1132 and repealing the existing sections; also repealing K.S.A. 46-1101 and 46-1104, by Representative Otto.

HB 2672, AN ACT repealing K.S.A. 19-825; concerning the vacating and reinstating of a sheriff for failing to perform certain duties, by Committee on Government Efficiency.

HB 2673, AN ACT repealing K.S.A. 2011 Supp. 44-611, 44-621 and 44-624; concerning powers and duties of the secretary of the department of labor, by Committee on Government Efficiency.

HB 2674, AN ACT concerning the Kansas highway patrol; relating to the administration of the highway patrol; amending K.S.A. 2011 Supp. 74-2105 and repealing the existing section; also repealing K.S.A. 74-2112, 74-2116, 74-2119, 74-2125 and 74-2133, by Committee on Government Efficiency.

HB 2675, AN ACT Repealing K.S.A. 79-408; concerning county clerks and county appraisers, by Committee on Government Efficiency.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Aging and Long-term Care: **HB 2656**.

Agriculture and Natural Resources: **HB 2654**.

Appropriations: **HB 2640**.

Children and Families: **HR 6009**.

Corrections and Juvenile Justice: **HB 2648**.

Education: **HB 2645**.

Education Budget: **HB 2652**.

Elections: **HB 2641**.

Energy and Utilities: **HB 2642, HB 2643, HB 2661**.

Federal and State Affairs: **HB 2651**.

Government Efficiency: **HB 2649, HB 2650.**
Health and Human Services: **HB 2644, HB 2659, HB 2660.**
Judiciary: **HB 2647, HB 2653, HB 2655, HB 2658.**
Local Government: **HB 2646.**
Transportation and Public Safety Budget: **HB 2657.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 300.**

The Senate nonconcurrs in House amendments to **H Sub for SB 191**, requests a conference and has appointed Senators Ostmeyer, McGinn and Francisco as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

SB 300.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6010--**

By Representative Trimmer

A RESOLUTION requesting that the United States Department of Labor continue to exempt young persons under the age of 16 from the provisions of child labor laws when the work is farm related.

WHEREAS, It has been a long tradition in American agriculture that young people under 16 years of age have helped on the farm; and

WHEREAS, Many of these young people are members of a family helping to support a family farm; and

WHEREAS, The number of agriculturally related accidents among youngsters under the age of 16 working on a farm is no greater than the number of accidents involving youngsters under the age of 16 which occur on the highway or in other youth-related activities; and

WHEREAS, Prohibiting youngsters under the age of 16 from working on farms would have a severely negative impact on many farm family incomes; and

WHEREAS, The tradition of children of farm families working on the family farm not only strengthens the family unit, but it also builds character in the children which serves them well in later life; and

WHEREAS, Prohibiting youngsters under the age of 16 from working on farms would place some farm families in an extremely difficult position by having to choose between violating the law while preserving a long-standing and highly cherished agricultural tradition or following the law to the detriment of the farm family and the family farm: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we urge the Secretary of the U.S. Department of Labor to make no changes in the current laws or regulations regarding child labor which would disrupt or have a detrimental effect on

agriculture and the ability of children under the age of 16 to work on a farm; and

Be it further resolved: That copies of this resolution be provided to Hilda L. Solis, Secretary of the U. S. Department of Labor and to the Kansas congressional delegation.

CONSENT CALENDAR

No objection was made to **HB 2472** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2298, AN ACT concerning veterans; relating to the executive director of the Kansas commission on veterans affairs; amending K.S.A. 73-1208c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2460, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; employer affiliation, participation by certain employees and contribution rate; applicability of certain federal internal revenue code provisions; amending K.S.A. 74-4910 and K.S.A. 2011 Supp. 74-4920 and 74-49,123 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox,

Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Denning, Grosserode, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2461, AN ACT concerning retirement and benefits, relating to the Kansas public employees retirement fund; alternative investments; amending K.S.A. 2011 Supp. 74-4921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 7; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bollier, Goodman, LeDoux, O'Hara, Rubin, Tyson, Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rhoades, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2420**, **HB 2458**, **HB 2459** be passed.

On motion of Rep. LeDoux to amend **HB 2606**, the motion did not prevail. Also, on motion of Rep. Knox to amend, the motion did not prevail; and **HB 2606** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2510** be

amended on page 1, following line 25, by inserting:

"(6) "Vocational cabin building program" means the vocational home building program operated by the secretary, in cooperation with the Kansas department of wildlife, parks and tourism, that provides individual, freestanding cabins, not to exceed 1,000 square feet in size, to the department of wildlife, parks and tourism, or any successor program.";

Also on page 1, in line 26, after "(c)" by inserting "The provisions of this section shall not apply to a vocational cabin building program.

(d)"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2535** be amended on page 25, in line 13, by striking the fourth comma; by striking all in line 14; in line 15, by striking all before the period and inserting ". Such report may be part of the annual report of the department of corrections, so long as such information is presented separately and distinctly";

On page 63, in line 16, after "21-6614," by inserting "21-6614a, 21-6614b, 21-6614c,";

On page 1, in the title, in line 11, after "Supp." by inserting "21-6614a, 21-6614b, 21-6614c and"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2550** be amended on page 1, in line 29, by striking the second "or"; in line 30, by striking the period and inserting "; or

(3) selling, offering to sell or serving any drink at different prices at certain specified times during the day.";

On page 2, in line 30, after "from" by inserting ":

(1) ";

Also on page 2, also in line 30, by striking the period and inserting "; or

(2) selling, offering to sell or serving any drink at different prices at certain specified times during the day."; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2505** be passed.

Committee on **Transportation** recommends **HB 2499** be passed.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2676, AN ACT repealing K.S.A. 2011 Supp. 79-409; concerning requirement property owners provide description of property to county clerk. , by Committee on Government Efficiency.

HB 2677, AN ACT dealing with county appraisers; amending K.S.A. 19-430 and repealing the existing section, by Committee on Government Efficiency.

HB 2678, AN ACT concerning school districts; relating to school finance and certain weightings; amending K.S.A. 2011 Supp. 72-3715, 72-3716, 72-6407, 72-6412, 72-6413, 72-6414, 72-6415b, 72-6454, 72-6455 and 72-6459 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-6442b, by Representative Aurand.

HB 2679, AN ACT concerning insurance; relating to motor vehicle liability

insurance policies; limits of liability; amending K.S.A. 40-3107 and repealing the existing section, by Committee on Insurance.

HB 2680, AN ACT pertaining to health reimbursement arrangements, by Representatives Landwehr, Crum, Alford, Arpke, Bowers, Brown, Burgess, Cassidy, DeGraaf, Denning, Donohoe, Goico, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hoffman, Howell, Kelley, Kerschen, Kleeb, LeDoux, Meigs, Mesa, Montgomery, O'Hara, Patton, T. Phillips, Pottorff, Prescott, Proehl, Rhoades, Rubin, Ryckman, Smith, Suellentrop, Vickrey, Weber and B. Wolf.

HB 2681, AN ACT concerning insurance; relating to purchase of accident and sickness insurance offered by out-of-state insurers, by Representatives Landwehr, Alford, Boman, Brown, Brunk, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Goodman, Gordon, Grange, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, M. Holmes, Howell, Huebert, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Seiwert, Siegfried, Smith, Suellentrop, Vickrey, Weber and B. Wolf.

HB 2682, AN ACT repealing K.S.A. 75-52,119, 75-52,120 and 75-52,121; concerning the purchase of real estate by the secretary of corrections, by Committee on Government Efficiency.

HB 2683, AN ACT concerning the director of penal institutions; amending K.S.A. 22-3416 and repealing the existing section; also repealing K.S.A. 75-5207, 75-5208 and 75-5213, by Committee on Government Efficiency.

HB 2684, AN ACT repealing K.S.A. 74-7402, 74-7403, 74-7404, 74-7406 and 74-7407; concerning the ombudsman of corrections; relating to the repeal of outdated sections, by Committee on Government Efficiency.

HB 2685, AN ACT concerning water; relating to reservoir improvement districts, by Committee on Energy and Utilities.

HB 2686, AN ACT establishing a program of drug screening for cash assistance recipients; amending K.S.A. 2011 Supp. 39-709 and repealing the existing section, by Representatives Kelley, Arpke, Goodman, Gregory, Hildabrand, Mast, O'Brien and Scapa.

On motion of Rep. Siegfried, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2687, AN ACT concerning the state building advisory commission; relating to reports and recommendations on state capital improvement budget estimates; amending K.S.A. 46-1702 and K.S.A. 2011 Supp. 75-3717b and repealing the existing sections, by Committee on Government Efficiency.

HB 2688, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; members of the legislature; rate of compensation at which such members participate; amending K.S.A. 2011 Supp. 74-4992 and 74-4995 and repealing the existing sections, by Representative Patton.

HB 2689, AN ACT concerning alcoholic beverages; amending K.S.A. 41-306a, 41-307, 41-308, 41-701, 41-2612, 41-2614, 41-2640, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-308a, 41-2601, 41-2622, 41-2629 and 79-41a03 and repealing the existing sections, by Representative Gregory.

HB 2690, AN ACT concerning the Kansas indoor clean air act; relating to smoking on certain premises; amending K.S.A. 2011 Supp. 21-6109 and 21-6110 and repealing the existing sections, by Representatives Garber, Arpke, Donohoe, Goodman, Landwehr, LeDoux, O'Brien, O'Hara, Peck, Rubin, Schwab, Seiwert and Suellentrop.

HB 2691, AN ACT relating to state finances; concerning biennial budget estimates for state agencies; amending K.S.A. 2011 Supp. 75-3717 and 75-6701 and repealing the existing sections, by Representatives Mesa and Johnson.

HB 2692, AN ACT concerning sales and use taxation; relating to distribution of revenue; the state water plan fund; amending K.S.A. 70a-105 and 82a-951 and K.S.A. 2011 Supp. 2-1205, 2-2204, 65-163, 75-5133, 79-3620, 79-3710, 79-4804, 82a-734, 82a-1801 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 79-3647 and K.S.A. 2011 Supp. 82a-953a and 82a-954, by Committee on Vision 2020.

HB 2693, AN ACT concerning state institutions; relating to services provided by the state school for the blind; relating to services provided by the state school for the deaf; amending K.S.A. 76-1001a and 76-1101a and repealing the existing sections, by Representative Siegfried.

HB 2694, AN ACT concerning the state capitol building; requiring the establishment of an all faiths chapel, by Representative Siegfried.

HB 2695, AN ACT concerning the Kansas pet animal act; relating to inspection of facilities; relating to greyhounds; amending K.S.A. 47-1701 and K.S.A. 2011 Supp. 47-1709 and repealing the existing sections, by Representative Goodman.

HB 2696, AN ACT concerning veterans; amending K.S.A. 2011 Supp. 73-1234 and repealing the existing section, by Representative Goico.

REPORT ON ENGROSSED BILLS

HB 2460, **HB 2461** reported correctly engrossed February 7, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, February 9, 2012.

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 9, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. Shultz was excused on legislative business.

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

Prayer by guest chaplain, the Reverend Billy Simar, Pratt Assembly of God, and guest of Rep. Hoffman.

In the authority of Jesus Christ, as a man who has been transformed by His merciful and mighty power, I thank you for the opportunity to pray for these men and women who are willing to serve our great state.

I thank you for their personal sacrifice and their willingness to leave their homes to come and serve us, the Kansas people, by giving of their time and talents. I know you hear my cry today for help on behalf of each of them and our state.

Lord, I cry out with the Psalmist today:

Whom have I in heaven but you? And earth has nothing I desire besides you. Psalms 73: 25 (NIV)

God you are the only one that can impact man's heart and make a difference in our lives, regardless of the state of our economy or the ability of local government to meet needs. You and only you can change man. I know that change will not come until we desire nothing but you!! Oh God, help us desire nothing but you! Burn that in our hearts today!! Nothing but you!

Psalmist Asaph further declared:

My flesh and my heart may fail, but God is the strength of my heart and my portion forever. Psalms 73:26

Again, I pray that you would move in our midst and stir our hearts to trust you and you alone. Man's wisdom will not change the destiny of our state or country. Man's labor will not change the destiny of our state our country. But God, if you would become the strength of our heart and our portion forever, then and only then can we lead a state or nation.

Those who are far from you will perish; you destroy all who are unfaithful to you. (Psalm 73:27) ... Asaph declared in this Psalm. I pray oh sovereign God, that these men and women with the power to make changes in our great state would understand that God cannot lie. If we work tirelessly to legislate our laws to govern our people to live better; but neglect their sole, we have failed them.

And finally my precious Lord and Savior, as Asaph so eloquently stated in Psalm 73, I plead for these men and this state. Oh God, may this ring true in each of our lives and may this be the words spoken over each of us when we breath our last:

But as for me, it is good to be near God. I have made the Sovereign LORD my refuge; I will tell of all your deeds. Psalm 73:28

This is my prayer today for this session, these men, and this state!

Once again thank you for hearing us, Amen

The Pledge of Allegiance was led by Rep. Montgomery.

Kansas Trivia Question – After moving to Leavenworth in 1865, what woman helped edit her brother's newspaper and gave speeches on the topic of voting rights for Blacks and women?

Answer: Susan B. Anthony

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

The Kansas African American Affairs Commission is hosting the Annual African American Greek Day at the Capitol throughout the day. The Commission has planned numerous activities intended to enhance the civic leadership skills of the fraternities and sororities to become better informed, more involved, and successfully collaborate with the State of Kansas. African American fraternities and sororities serve and are recognized as grassroots leaders in their local community. They become members of their organization of choice during their undergraduate years and they continue public service after college thru involvement in graduate chapters in their communities throughout the State of Kansas. The programs and projects African American fraternities and sororities implement are often driven by national agendas that closely mirror equity issues, included in a document on the "State of African Americans in Kansas" developed by the Kansas African American Affairs Commission. On behalf of the African American Legislators we want to thank you for coming to our Capitol for many years during Black History Month. I would like to ask our Greek organizations in the gallery to stand and be recognized by members of the House of Representatives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2697, AN ACT concerning eligibility requirements for medicaid; allowing a collateral assignment of the proceeds of life insurance policies, by Committee on Aging and Long-term Care.

HB 2698, AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2699, AN ACT concerning crimes and punishments; relating to furnishing alcoholic liquor or cereal malt beverages to a minor; amending K.S.A. 2011 Supp. 21-5607 and repealing the existing section, by Committee on Judiciary.

HB 2700, AN ACT enacting the Kansas armored car services licensing act, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Agriculture and Natural Resources: **HR 6010**.

Appropriations: **HB 2686**.

Commerce and Economic Development: **HB 2666**.

Education: **HB 2664, HB 2678**.

Energy and Utilities: **HB 2663, HB 2685**.

Government Efficiency: **HB 2668, HB 2669, HB 2670, HB 2672, HB 2673, HB 2675, HB 2676, HB 2682, HB 2683, HB 2684**.

Health and Human Services: **HB 2665**.

Insurance: **HB 2679, HB 2680, HB 2681**.

Legislative Budget: **HB 2671**.

Local Government: **HB 2662, HB 2677**.

Taxation: **HB 2667**.

Transportation: **SB 300**.

Transportation and Public Safety Budget: **HB 2674**.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills, appearing on the Calendar as "To Be Referred," were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2695**.

Appropriations: **HB 2691**.

Education Budget: **HB 2693**.

Federal and State Affairs: **HB 2689, HB 2690, HB 2694**.

Government Efficiency: **HB 2687**.

Pensions and Benefits: **HB 2688**.

Social Services Budget: **HB 2696**.

Taxation: **HB 2692**.

MESSAGE FROM THE SENATE

Announcing passage of **SB 257, SB 260, SB 261, SB 263, SB 344.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were introduced and read by title:

SB 257, SB 260, SB 261, SB 263, SB 344.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **H Sub for SB 191.**

Speaker O'Neal thereupon appointed Reps. Schwartz, Schroeder and Carlin as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2472** appearing on the consent calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2420, AN ACT concerning cities; relating to bonded debt limits; amending and repealing the existing section; amending K.S.A. 2011 Supp. 10-308 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 25; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, Meier, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Pauls, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brown, Brunk, Crum, DeGraaf, Donohoe, Grosserode, Hildabrand, Howell, Kelley, Kiegerl, Kinzer, Landwehr, McCray-Miller, McLeland, Meigs, Montgomery, O'Hara, Patton, Peck, Rhoades, Scapa, Schroeder, Smith, Ward.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

HB 2458, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

HB 2459, AN ACT concerning driver's licenses; relating to motorcycles; amending K.S.A. 2011 Supp. 8-240 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

HB 2606, AN ACT concerning state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762,

4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Feuerborn, S. Gatewood, Goico, Grant, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Schwab, Spalding, Tietze, Williams.

Present but not voting: None.

Absent or not voting: Denning, Shultz.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Worley in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Worley, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2441**, **HB 2507** be passed.

Committee report to **HB 2491** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2055** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Energy and Utilities** recommends **HB 2624** be passed.

Committee on **Energy and Utilities** recommends **HB 2588** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **HB 2353** be amended on

page 1, in line 8, by striking "municipality facilities or premises" and inserting "municipal buildings"; in line 9, by striking "facilities or premises have" and inserting "building has"; in line 10, by striking "or on such premises or facilities" and inserting "such building"; in line 14, by striking the second "work place" and inserting "building"; in line 17, by striking "in or on the facilities or premises" and inserting "into such building"; in line 20, by striking "to a state or municipal facility or premises" and inserting "into such building"; in line 29, after "(e)" by inserting "Subject to provisions of subsection (f),"; in line 32, after "(f)" by inserting "Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security at the public access entrances in order to prohibit the carrying of a concealed handgun in such public areas.

(g) A state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may prohibit patients seeking treatment from carrying a concealed handgun.

(h) A state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may prohibit residents from carrying a concealed handgun.

(i) ";

Also on page 1, in line 35, by striking "facility or on such premises" and inserting "state or municipal building";

And by redesignating subsections accordingly;

On page 2, in line 2, by striking "premises or facilities" and inserting "building"; in line 4, by striking "'Municipality' means as the term" and inserting "The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality";"; in line 11, after "(5)" by inserting "'State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(6) ";

Also on page 2, also in line 11, by striking "section 186 of chapter"; in line 12, by striking "136 of the 2010 Session Laws of Kansas"; and inserting "K.S.A. 2011 Supp. 21-6301"; in line 15, by striking "2010" and inserting "2011";

On page 4, in line 4, by striking "2010" and inserting "2011"; by striking all in lines 23 through 43;

By striking all on page 5;

On page 6, by striking all in lines 1 through 13, and inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm on the grounds in any of the following places:

(1) Within any building located within the capitol complex;

(2) within the governor's residence;

(3) on the grounds of or in any building on the grounds of the governor's residence;

(4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or

(5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

- (b) Violation of this section is a class A misdemeanor.
- (c) This section shall not apply to:
 - (1) A commissioned law enforcement officer;
 - (2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;
 - (3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
 - (4) a member of the military of this state or the United States engaged in the performance of duties; or
 - (5) a person with a license issued pursuant to or recognized under K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto, except in buildings posted in accordance with K.S.A. 2011 Supp. 75-7c10, and amendments thereto, and in the areas specified in subsections (a)(2) and (a)(3).

(d) It is not a violation of this section for the:

- (1) Governor, the governor's immediate family, or specifically authorized guest of the governor to possess a firearm within the governor's residence or on the grounds of or in any building on the grounds of the governor's residence; or

- (2) United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a firearm within any county courthouse and court-related facility, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2011 Supp. 75-7c19, and amendments thereto.

(e) It is not a violation of this section for a person to possess a firearm as authorized under the personal and family protection act unless the building has adequate security measures as defined in subsection (g) to ensure that no weapons are permitted to be carried into such building.

(f) Notwithstanding the provisions of this section, any county may elect by passage of a resolution that the provisions of subsection (d)(2) shall not apply to such county's courthouse or court-related facilities if such:

- (1) Facilities have adequate security measures to ensure that no weapons are permitted to be carried into such facilities;

- (2) facilities have adequate measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options;

- (3) county also has a policy or regulation requiring all law enforcement officers to secure and store such officer's firearm upon entering the courthouse or court-related facility. Such policy or regulation may provide that it does not apply to court security or sheriff's office personnel for such county; and

- (4) facilities have a sign conspicuously posted at each entryway into such facility stating that the provisions of subsection (d)(2) do not apply to such facility.

~~(f)~~ (g) As used in this section:

- (1) "Adequate security measures" means the use of electronic equipment and

personnel at public entrances to detect and restrict the carrying of any weapons into the facility, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes;

(2) "possession" means having joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and right of control; and

(3) "capitol complex" means the same as in K.S.A. 75-4514, and amendments thereto.

~~(g)~~ (h) For the purposes of subsection (a)(1), (a)(4) and (a)(5), "building" and "courthouse" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

Sec. 4. K.S.A. 2011 Supp. 21-6309 and 75-7c10 are hereby repealed.;

Re-number remaining section accordingly;

On page 1, in the title, by striking all of lines 2 and 3 and inserting "K.S.A. 2011 Supp. 21-6309 and 75-7c10 and repealing the existing sections.;" and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2159** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2159," as follows:

"Substitute for HOUSE BILL NO. 2159

By Committee on Health and Human Services

"AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2011 Supp. 65-2921 and repealing the existing section.;" and the substitute bill be passed.

(**Sub HB 2159** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2121** be amended on page 1, in line 7, before "No" by inserting "(a)"; in line 10, after "cremation." by inserting:

"(b)";

Also on page 1, in line 11, after "jurisdiction" by inserting "in Kansas"; also in line 11, after "occurs." by inserting "Subject to the provisions of K.S.A. 22a-232, and amendments thereto,"; also in line 11, after "coroner" by inserting "in Kansas"; in line 12, after "jurisdiction" appears for the second time, by inserting "in or out of Kansas"; in line 14, after the period, by inserting:

"(c) Except as provided in subsection (d), if the death occurred outside the state of Kansas and the cremation of the body is intended to take place in a Kansas jurisdiction, the coroner of such Kansas jurisdiction may authorize cremation, but if such coroner knows the location in which the death occurred, such coroner prior to cremation shall make a good faith attempt to receive written authorization for such cremation from the coroner in the jurisdiction in which the death occurred. If such coroner attempts to contact the coroner in the jurisdiction in which the death occurred but does not within 48 hours after the request receive either written authorization to cremate or some information indicating an investigation is pending or some similar denial to cremate, such coroner in Kansas is presumed to have made a good faith attempt, and the coroner in the jurisdiction where the body is now located is authorized to issue the permit to cremate. A statement about the coroner's attempt to contact shall be maintained by the coroner as part of the records about that body.

(d) Notwithstanding the provisions of subsection (c), if the coroner knows that the

location of the cause of death is in Kansas but the death occurred outside of Kansas, the coroner shall seek the authorization of or transfer of jurisdiction from the Kansas coroner where the cause of death occurred before authorizing cremation of the body, and the Kansas coroner shall not be required to seek authorization from the out-of-state coroner where the death occurred.

(e)";

Also on page 1, in line 15, after "telefacsimile" by inserting "or electronically"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2470** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2470," as follows:

"Substitute for HOUSE BILL NO. 2470

By Committee on Judiciary

"AN ACT concerning scrap metal dealers; relating to unlawful acts; fees; amending K.S.A. 2011 Supp. 50-6,111 and 50-6,112a and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2470** was thereupon introduced and read by title.)

Committee on **Local Government** recommends **HB 2548** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Local Government** recommends **HB 2546** be amended on page 1, in line 25, by striking "sale" and inserting "transfer"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2701, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; elimination of service credit purchases; repealing K.S.A. 74-4919a, 74-4919g, 74-4919i, 74-4919k, 74-4919n, 74-4919p, 74-4919q, 74-4919r and 74-4919s and K.S.A. 2011 Supp. 74-4919h, 74-4919j, 74-4919l, 74-4919m, 74-4919o, 74-4919u and 74-4919v, by Committee on Pensions and Benefits.

HB 2702, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; elimination of cap on increase in employer contributions; amending K.S.A. 2011 Supp. 74-4914d and 74-4920 and repealing the existing sections; also repealing K.S.A. 2010 Supp. 74-4914d, as amended by section 1 of chapter 98 of the 2011 Session Laws of Kansas and 74-4920, as amended by section 4 of chapter 98 of the 2011 Session Laws of Kansas, by Committee on Pensions and Benefits.

HB 2703, AN ACT repealing K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603; relating to establishment and operation of a motor pool for state agencies, by Committee on Government Efficiency.

HB 2704, AN ACT repealing K.S.A. 75-5262, 75-5263, 75-5264 and 75-5265 ; concerning the Topeka correctional facility, by Committee on Government Efficiency.

HB 2705, AN ACT concerning the joint committee on state building construction;

relating to monthly reports of progress; amending K.S.A. 2011 Supp. 75-1264 and repealing the existing section, by Committee on Government Efficiency.

HB 2706, AN ACT concerning appraisal of real property prior to state purchase or disposition; amending K.S.A. 75-3043a and repealing the existing section, by Committee on Government Efficiency.

HB 2707, AN ACT concerning crimes, criminal procedure and punishment; relating to release of incompetent defendants, by Committee on Corrections and Juvenile Justice.

HB 2708, AN ACT concerning renewable energy resources; amending K.S.A. 2011 Supp. 66-1257 and repealing the existing section, by Committee on Appropriations.

HB 2709, AN ACT concerning wildlife; relating to big game hunting violations; civil penalties; amending K.S.A. 2011 Supp. 32-1032 and repealing the existing section, by Committee on Appropriations.

HB 2710, AN ACT concerning property taxation; relating to time for payment of taxes; persons 65 years of age and older; amending K.S.A. 2011 Supp. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Appropriations.

HB 2711, AN ACT concerning oil and gas; counties; relating to licensure of operators and contractors; well plugging assurance; amending K.S.A. 55-166 and K.S.A. 2011 Supp. 19-101a, 55-151 and 55-155 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2712, AN ACT establishing the Kansas business workers and community partnership act, by Committee on Federal and State Affairs.

HB 2713, AN ACT concerning schools; relating to the virtual school act; pertaining to the precollege curriculum prescribed by the board of regents; amending K.S.A. 2011 Supp. 72-3711 and repealing the existing section, by Committee on Education.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2446** from Committee on Appropriations and rereferral to Committee on Energy and Utilities.

On motion of Rep. Siegfroid, the House adjourned until 11:00 a.m., Friday, February 10, 2012.

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 10, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Reps. Brunk, Calloway, Dillmore, Goico, Kinzer, Peterson and Victors were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Andy Inskip, Youth Pastor, Fairlawn Church of the Nazarene of Topeka:

Dear God,

Thank you for the life you have given us today. Let our discussions and decisions lead to the life you give today.

As this body comes together grant them unity. Despite different backgrounds, experiences, political parties and agendas help find the things that unite us. Help us to listen and truly understand the viewpoint of others. Give us wisdom in the decisions that need to be made today. In those decisions help us understand and make the decisions that are best for the residents of Kansas.

In the halls, in session and after session help us treat each other with the love and kindness you created us for.

In the name of Christ Jesus I pray, Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

Kansas Trivia Question – Hutchinson-born Mike Love grew up to be a member of what rock group?

Answer: The Beach Boys

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2714, AN ACT relating to the recall of elected officials; amending K.S.A. 2011 Supp. 25-4302 and repealing the existing section, by Committee on Elections.

HB 2715, AN ACT concerning elections; relating to extension and drainage districts; amending K.S.A. 2011 Supp. 2-624 and 24-414 and repealing the existing sections, by Committee on Elections.

HB 2716, AN ACT concerning personal property taxation; relating to motor vehicles;

exemptions; members of military service and active guard and reservists; amending K.S.A. 2011 Supp. 79-5107 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2717, AN ACT concerning insurance; relating to health insurance and taxation; amending K.S.A. 2011 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2718, AN ACT concerning school districts; relating to school finance; local activities budget; amending and repealing the existing section, by Committee on Education.

HB 2719, AN ACT concerning oil and gas; relating to horizontal drilling; amending K.S.A. 55-1304 and 55-1305 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2720, AN ACT concerning elections; relating to forms of identification; amending K.S.A. 2011 Supp. 25-2908 and repealing the existing section, by Committee on Elections.

HB 2721, AN ACT concerning elections; relating to voter education, by Committee on Elections.

HB 2722, AN ACT concerning elections; relating to education of election workers, by Committee on Elections.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Aging and Long-term Care: **HB 2697**.

Agriculture and Natural Resources: **HB 2698, HB 2709**.

Corrections and Juvenile Justice: **HB 2699, HB 2707**.

Education: **SB 257, SB 260, HB 2713**.

Education Budget: **SB 261**.

Energy and Utilities: **HB 2708, HB 2711**.

Federal and State Affairs: **HB 2712**.

Financial Institutions: **SB 263**.

Government Efficiency: **HB 2703, HB 2704, HB 2705, HB 2706**.

Pensions and Benefits: **HB 2701, HB 2702**.

Redistricting: **SB 344**.

Taxation: **HB 2710**.

Transportation: **HB 2700**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2677** from Committee on Local Government and referral to Committee on Government Efficiency.

COMMUNICATIONS FROM STATE OFFICERS

From Catherine Couch, Kansas Housing Resources Corporation, 2011 Annual Report which is available online at www.kshousingcorp.org.

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

CONSENT CALENDAR

No objection was made to **HB 2548, HB 2588** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2472** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Speaker O'Neal announced that order of business, Final Action on Bills and Concurrent Resolutions, would be passed over today.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Hermanson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hermanson, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2515** be adopted; also, on motion of Rep. Schwab, be amended on page 1, in line 10, after "projects" by inserting "by governmental entities"; by striking all in line 12; in line 13, by striking "credits"; in line 15, by striking "and construction contracts"; also in line 15, by striking the second "and"; by striking all in line 16; in line 17, by striking all before the semicolon; in line 19, by striking "to"; also in line 19, by striking "requiring"; in line 20, by striking "certain expenditures"; also in line 20, by striking "involving" and inserting "for"; in line 25, by striking "or"; in line 26, by striking "obligates funds pursuant to such a contract"; in line 28, by striking "thereof acting on behalf of such governmental entity, " and inserting "responsible for procuring a contract directly between the governmental entity and a contractor";

On page 2, in line 6, after "prohibit" by inserting ":

(1)"; in line 9, after "(a)" by inserting ";

(2) prohibit any contractor, construction manager or design builder from requiring its subcontractors or material suppliers of any tier to enter into a collection bargaining agreement";

On page 3, in line 5, by striking "unit" and inserting "entity"; and **HB 2515** be passed as amended.

Committee report to **HB 2503** be adopted; and the bill be passed as amended.

Committee report to **SB 211** be adopted; and the bill be passed as amended.

Committee report to **HB 2525** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2324** be amended on page 1, in line 6, by striking "2010" and inserting "2011";

On page 4, in line 8, after "device" by inserting ", whether or not such device is shaped like a cigarette,."; in line 11, by striking "2010"; and inserting "2011";

On page 1, in the title, in line 2, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2496** be amended

on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 38-2386 is hereby amended to read as follows: 38-2386. (a) The superintendent of any juvenile correctional facility operated by the commissioner, all persons on the staff of the juvenile justice authority who are in the chain of command from the commissioner of juvenile justice to the juvenile corrections officer and every juvenile corrections officer, regardless of rank and every investigator, while acting within the scope of their duties as employees of the juvenile justice authority, shall possess such powers and duties of a law enforcement officer as are necessary for performing such duties for the purpose of regaining or maintaining custody, security and control of any person in the custody of the commissioner and may exercise such powers and duties anywhere within the state of Kansas. Such powers and duties may be exercised outside the state of Kansas for the purpose of maintaining custody, security and control of any person in the custody of the commissioner being transported or escorted by anyone authorized to so act. Such employees of the juvenile justice authority shall be responsible to and shall be at all times under the supervision and control of the commissioner of juvenile justice or the commissioner's designee.

(b) The commissioner shall have the authority to appoint and designate special investigators. Each special investigator designated by the commissioner is hereby vested with the power and authority of peace and police officers and shall have the authority to:

- (1) Make arrests;
- (2) conduct searches and seizures;
- (3) maintain custody, security and control of any person in the custody of the commissioner; and
- (4) generally enforce all the criminal laws of the state as violations of those laws are encountered during the routine performance of duty.

(c) No special investigator may carry firearms while performing such duties without having first successfully completed the training course prescribed for law enforcement officers under the Kansas law enforcement training act, K.S.A. 74-5601 *et seq.*, and amendments thereto.

(d) Each special investigator designated shall:

- (1) Be vested with law enforcement authority;
- (2) be in classified service under the Kansas civil service act; and
- (3) be subject to the requirements of the Kansas law enforcement training act, K.S.A. 74-5601 *et seq.*, and amendments thereto.

(e) The commissioner may adopt rules and regulations prescribing additional training required for such special investigators."

And by renumbering sections accordingly;

On page 3, in line 17, after "Supp." by inserting "38-2386 and"; also in line 17, by striking "is" and inserting "are";

On page 1, in the title, in line 3, after "Supp." by inserting "38-2386 and"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Education Budget Committee recommends **HB 2429** be passed.

Committee on **Elections** recommends **HB 2437** be amended on page 7, following line 28, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 25-2908 is hereby amended to read as follows: 25-2908. (a) Each polling place shall use either: (1) A registration book and a poll book, as

defined in K.S.A. 25-2507(a) and K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

(1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

(4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

(d) If a voter is unable or refuses to provide current and valid identification, the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given

ballots and be permitted to vote.

(f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

(g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with the subsection (h) may not be altered.

(h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

(A) A driver's license issued by Kansas or by another state or district of the United States;

(B) a state identification card issued by Kansas or by another state or district of the United States;

(C) a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

(D) a United States passport;

(E) an employee badge or identification document issued by a municipal, county, state, or federal government office or agency;

(F) a military identification document issued by the United States;

(G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas; ~~or~~

(H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency; or

(I) an identification card issued by an Indian tribe.

(2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.

(i) The following persons are exempt from the photographic identification document requirements of this section:

(1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;

(2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;

(3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;

(4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and

(5) any voter whose religious beliefs prohibit photographic identification. Any

person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

(j) "Indian tribe" or "tribe" means any Indian tribe, band, nation or other organized group of community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village as defined in 43 U.S.C. § 1602(c).

Sec. 3. K.S.A. 2011 Supp. 65-2418 is hereby amended to read as follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and regulations the fees to be paid for certified copies or abstracts of certificates or for search of the files for birth, death, fetal death, marriage or divorce records when no certified copy or abstract is made. Except as otherwise provided in this section, the secretary shall remit all moneys received by or for the secretary from fees, charges or penalties, under the uniform vital statistics act, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(2) The secretary shall not charge any fee for a certified copy of a certificate or abstract or for a search of the files or records if the certificate, abstract or search is requested by a person who exhibits correspondence from the United States department of veterans affairs or the Kansas commission on veterans affairs which indicates that the person is applying for benefits from the United States department of veterans affairs and that such person needs the requested information to obtain such benefits, except that, for a second or subsequent certified copy of a certificate, abstract or search of the files requested by the person, the usual fee shall be charged. The secretary may provide by rules and regulations for exemptions from such fees.

(3) The secretary shall not charge or accept any fee for a certified copy of a birth certificate if the certificate is requested by any person who is 17 years of age or older for purposes of voting if the applicant lacks the identification required by K.S.A. 25-2908(h), and amendments thereto, or meeting to meet the voter registration requirements of K.S.A. 25-2309, and amendments thereto ~~such person.~~ For voter registration purposes, an applicant for registration shall swear under oath: (1) That such person plans to register to vote in Kansas; and (2) that such person does not possess any of the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto. The affidavit shall specifically list the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto. The secretary shall adopt rules and regulations in order to implement the provisions of this subsection.

(4) Upon receipt of any such remittance of a fee for a certified copy of a birth certificate or abstract, \$3 of each such fee for the first copy of a birth certificate or abstract and \$1 of each such fee for each additional copy of the same birth certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the permanent families account of the family and children investment

fund created by K.S.A. 38-1808, and amendments thereto. The balance of the money received for a fee for a certified copy of a birth certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created under this act.

(5) Upon receipt of any such remittance of a fee for a certified copy of a death certificate or abstract, \$4 of each such fee for the first certified copy of a death certificate or abstract and \$2 of each such fee for each additional copy of the same death certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the district coroners fund created by K.S.A. 22a-245, and amendments thereto. The balance of the money received for a fee for a certified copy of a death certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(b) Subject to K.S.A. 65-2415, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.";

Also on page 7, in line 29, by striking "is " and inserting ", 25-2908 and 65-2418 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "25-2309" by inserting ", 25-2908 and 65-2418"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2207** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2207," as follows:

"Substitute for HOUSE BILL NO. 2207

By Committee on Judiciary

"AN ACT concerning limited liability companies; relating to series limited liability companies; amending K.S.A. 17-7663 and 17-7682 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2207** was thereupon introduced and read by title).

Committee on **Judiciary** recommends **HB 2313** be amended on page 1, following line 36, by inserting:

"(d) The provisions of this section shall not apply to a writ of habeas corpus.";

On page 2, in line 12, by striking "or a patient in the"; by striking all in line 13; in line 14, by striking "K.S.A. 59-29a01 et seq., and amendments thereto,"; following line 17, by inserting:

"(c) Except as provided in K.S.A. 60-1507, and amendments thereto, a patient in the custody of the secretary of social and rehabilitation services pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall file a petition for writ pursuant to

subsection (a) within 30 days from the date the action was final, but such time is extended during the pendency of the patient's timely attempts to exhaust such patient's administrative remedies."; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 34, by Representative Bowers, congratulating Gertrude Breault for receiving the Leon Gennette Lifetime Achievement for Community Service Award from the Concordia Area Chamber of Commerce;

Request No. 35, by Representative Bowers, congratulating Marilyn Johnson for receiving the Kaleidoscope Award from the Concordia Area Chamber of Commerce;

Request No. 36, by Representative Bowers, congratulating Dannie Kearn for receiving the Leon Gennette Award for Community Service Volunteer of the Year from the Concordia Area Chamber of Commerce;

Request No. 37, by Representative Bowers, congratulating Harley Adams on receiving the Business Person of the Year Award from the Concordia Area Chamber of Commerce;

Request No. 38, by Representative Calloway, congratulating Pittsburg State University football coach Tim Beck on receiving the 2011 Field Turf NCAA Division II Coach of the Year and the 2011 Don Hansen NCAA Division II Coach of the Year awards;

Request No. 39, by Representative Calloway, congratulating Pittsburg State University Football Team on receiving the 2011 NCAA Division II Championship;

Request No. 40, by Representative Pottorff, congratulating the Wichita Junior League on the release of the cookbook "Pinches and Dashes" and for their efforts to combat child abuse;

Request No. 41, by Representative Grange, congratulating Molly Milbourn on being a Four-time State Champion in Track and a Two-time State Champion in Cross Country;

Request No. 42, by Representative Grange, congratulating Jaimie House on being a Four-time State Pole Vault Champion;

Request No. 43, by Representative Vickrey, congratulating Mayor Artie Stuteville on thirty plus years of service;

Request No. 44, by Representative Seiwert, congratulating St. Joseph's Catholic School Ost for receiving the Governor's Award for Educational Excellence;

Request No. 45, by Representative Mast, congratulating Coach Jesse Nelson for being the States All Time Winningest High School Basketball Coach;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2723, AN ACT concerning state agencies; pertaining to the use of commercial printing service providers; repealing K.S.A. 74-5033, by Committee on Government Efficiency.

HB 2724, AN ACT regarding information technology; relating to a geographic information systems policy board, powers and duties; a state geographic information systems officer; sustaining Kansas one map, by Committee on Government Efficiency.

HB 2725, AN ACT repealing K.S.A. 2011 Supp. 12-4001, 12-4002, 12-4003, 12-4004, 12-4005, 12-4006, 12-4007 and 12-4008; relating to the Kansas advisory council on intergovernmental relations, by Committee on Government Efficiency.

HB 2726, AN ACT concerning credit cards; relating to fees and surcharges charged by the state; amending K.S.A. 79-2973 and K.S.A. 2011 Supp. 75-30,100 and repealing the existing sections, by Committee on Government Efficiency.

HB 2727, AN ACT concerning motor vehicles; relating to the issuance of distinctive license plates; amending K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 and repealing the existing sections, by Committee on Government Efficiency.

HB 2728, AN ACT concerning group life insurance; relating to eligible employees' election to contribute; minimum number of persons covered under policy; amending K.S.A. 2011 Supp. 40-433 and repealing the existing section, by Committee on Insurance.

HB 2729, AN ACT concerning motor vehicles; relating to parks and recreation motor vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2730, AN ACT concerning food and lodging; relating to inspections and licensing; amending K.S.A. 36-505, 36-515a, 36-517, 65-660, 65-674 and 65-682 and K.S.A. 2011 Supp. 36-501, 36-502, 36-506, 36-510, 36-515, 36-515b, 36-518, 36-519, 36-520, 65-655, 65-656, 65-657, 65-658, 65-685, 65-688, 65-689 and 65-690 and repealing the existing sections; also repealing K.S.A. 36-508, 36-511, 36-513, 36-515c, 65-619, 65-620, 65-621, 65-622, 65-623, 65-624, 65-625, 65-631, 65-632, 65-633, 65-634, 65-637, 65-638, 65-639, 65-640, 65-642, 65-651, 65-652, 65-654, 65-659, 65-661, 65-666, 65-667, 65-668, 65-669, 65-669a, 65-670, 65-671, 65-677 and 65-681 and K.S.A. 2011 Supp. 36-503, 36-504, 36-507, 36-509, 65-626, 65-635, 65-641, 65-653, 65-673, 65-676, 65-683, 65-684, 65-686, 74-591, 74-592, 74-593, 74-594, 74-595, 74-596, 74-596a, 74-597, 74-598, 74-5,101 and 74-5,102, by Committee on Agriculture and Natural Resources.

HB 2731, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; members of the legislature; employee contributions and benefits; rate of compensation; amending K.S.A. 2011 Supp. 74-4995 and repealing the existing section, by Committee on Pensions and Benefits.

HB 2732, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; fiscal notes on bills that provide retirement benefit enhancements; actuarial cost thereof; amending K.S.A. 2011 Supp. 74-4920 and repealing the existing section, by Committee on Pensions and Benefits.

HB 2733, AN ACT concerning the legislature; relating to legislative pages; amending

K.S.A. 46-158 and repealing the existing section, by Committee on Appropriations.

HB 2734, AN ACT concerning schools; relating to compulsory school attendance laws; amending K.S.A. 2011 Supp. 72-1111 and repealing the existing section, by Committee on Education Budget.

HB 2735, AN ACT concerning property taxation; relating to valuation of federally railbanked rights-of-way, by Committee on Transportation.

HB 2736, AN ACT concerning protection from stalking petitions; relating to procedures concerning minors; amending K.S.A. 2011 Supp. 60-31a04 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

On motion of Rep. Siegfried, the House recessed until 12:15 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2737, AN ACT concerning juvenile offenders; relating to consecutive sentencing; amending K.S.A. 2011 Supp. 38-2369 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2738, AN ACT concerning postsecondary educational institutions; relating to fingerprinting and criminal history record check of nursing program applicants, by Committee on Aging and Long-term Care.

HB 2739, AN ACT concerning elections; relating to certain municipalities; amending K.S.A. 2-623, 19-3505, 19-3507, 25-1115, 25-2006, 25-2007, 25-2010, 25-2023, 25-2109, 25-2120, 25-2502, 25-3503, 71-1413 and 71-1414 and K.S.A. 2011 Supp. 2-624, 24-412, 24-459, 24-506, 25-205, 25-1122, 25-2102, 25-2108a, 25-2311 and 42-706 and repealing the existing sections, by Committee on Elections.

HB 2740, AN ACT concerning domestic relations; relating to case management; amending K.S.A. 2011 Supp. 23-3508 and repealing the existing section, by Committee on Judiciary.

HB 2741, AN ACT concerning the Kansas family law code; relating to recodification; amending K.S.A. 13-1246a, 20-1204a, 20-2618, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-5005, 20-164, 20-165, 20-302b, 21-5808, 21-5924, 23-2217, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 28-177, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-2403, 60-2803, 60-3107, 74-147 and 74-4923 and repealing the existing sections; also repealing K.S.A. 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131, 23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136 and 23-4,137 and K.S.A. 2011 Supp. 28-177a, 38-2255b and 60-1613, by Committee on Judiciary.

HB 2742, AN ACT concerning real and personal property; relating to the medical

assistance recovery program; amending K.S.A. 39-702, 58-3957, 58a-818, 59-1501, 59-2239 and 59-2250 and K.S.A. 2011 Supp. 39-709, 59-1507b, 59-2222 and 59-2247 and repealing the existing sections, by Committee on Judiciary.

REPORT ON ENGROSSED BILLS

HB 2491 reported correctly engrossed February 9, 2012.

REPORT ON ENROLLED BILLS

Sub HB 2178 reported correctly enrolled, properly signed and presented to the Governor on February 10, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6006 reported correctly enrolled and properly signed on February 10, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, February 13, 2012.

Journal of the House

TWENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 13, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Colloton, Donohoe, Hayzlett and Kinzer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God—
This morning we do celebrate You as our Creator.
You have created the heavens and the earth.
You have created us – uniquely and differently.
You have created us male and female;
 some short, some tall;
 some with hair, some with not;
 some introverted, some extroverted;
 some driven by logic, some by feelings;
 some motivated by tasks, some by people.
We won't, though, hold you responsible for creating us
 as Democrats or Republicans—
 as Wildcats or Jayhawks.
The reality is, each of us are created distinctively different,
 yet, as a corporate body
 we are to work together for the greater good.
We are to strive for unity in the midst of our diversity.
This can only come about as Your Word instructs us to,
 “do this with humility and discipline—
 not in fits and starts,
but steadily, pouring ourselves out for each other
 in acts of love,
 alert at noticing differences
 and quick at mending fences...
 speaking truth in love.”
This I ask of You today
in Your Son, Christ Jesus, Amen.
(Ephesians 4.2, 15 – The Message)

The Pledge of Allegiance was led by Rep. Howell.

Kansas Trivia Question – Other than being a great basketball coach, what was Phog Allen's contribution to the Olympics in 1936?

Answer: He lobbied for basketball to become an Olympic sport and was successful.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2743, AN ACT concerning abstracters; relating to license fees; amending K.S.A. 58-2801 and repealing the existing section, by Committee on Appropriations.

HB 2744, AN ACT concerning victims of sexual assault; relating to emergency contraception information, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Aging and Long-term Care: **HB 2738**.

Agriculture and Natural Resources: **HB 2724**, **HB 2729**, **HB 2730**.

Calendar and Printing: **HB 2733**.

Corrections and Juvenile Justice: **HB 2737**.

Education: **HB 2718**, **HB 2734**.

Elections: **HB 2714**, **HB 2715**, **HB 2720**, **HB 2721**, **HB 2722**, **HB 2739**.

Energy and Utilities: **HB 2719**.

Government Efficiency: **HB 2723**, **HB 2725**, **HB 2726**.

Insurance: **HB 2728**.

Judiciary: **HB 2736**, **HB 2740**, **HB 2741**, **HB 2742**.

Pensions and Benefits: **HB 2731**, **HB 2732**.

Taxation: **HB 2716**, **HB 2717**, **HB 2735**.

Transportation: **HB 2727**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 118** from Committee on Appropriations and referral to Committee on Calendar and Printing.

COMMUNICATIONS FROM STATE OFFICERS

From Sandy Praeger, Commission of Insurance, pursuant to K.S.A. 40-108, 2011 Annual Report of the Kansas Insurance Department.

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

CONSENT CALENDAR

Objection was made to **HB 2548** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

No objection was made to **HB 2588** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2055, AN ACT concerning criminal procedure; relating to district attorney offender reports; amending K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Donohoe, Hayzlett, Kinzer.

The substitute bill passed.

HB 2441, AN ACT designating a portion of United States highway 75 as the Floyd H. Robinson memorial highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Donohoe, Hayzlett, Kinzer.

The bill passed.

HB 2472, AN ACT concerning rural water districts; definitions; amending K.S.A. 2011 Supp. 82a-612 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Mast.

Present but not voting: None.

Absent or not voting: Colloton, Donohoe, Hayzlett, Kinzer.

The bill passed.

HB 2491, AN ACT concerning wildlife; relating to hunting; amending K.S.A. 2011 Supp. 32-1002 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 8; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, Lane, LeDoux, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Flaharty, Henderson, Kuether, Loganbill, McCray-Miller, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Colloton, Donohoe, Hayzlett, Kinzer.

The bill passed, as amended.

HB 2507, AN ACT repealing K.S.A. 40-3508; concerning reinsurance limits for mortgage guaranty insurance companies, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kelley, LeDoux.

Present but not voting: None.

Absent or not voting: Colloton, Donohoe, Hayzlett, Kinzer.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2516** be amended on page 2, in line 39, by striking "bank's charter shall be permanently extended" and inserting "initial charter shall lapse or the bank shall be chartered"; also on page 2, following line 41, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 82a-766 is hereby amended to read as follows: 82a-766.

(a) On or before ~~February 10~~ April 15 of each year, each water bank shall submit to the chief engineer a report containing the following:

(1) With regard to water rights or portions of water rights on deposit in the bank during the last year: (A) The total quantity of water authorized to be diverted annually pursuant to each such water right or portion of a water right; (B) the total quantity of water used, by purpose of use, and acres irrigated for the portion authorized to be used for irrigation, during the last year as a result of leases of such water rights or portions of water rights; and (C) the total quantity of water used, by purpose of use, and acres irrigated for the portion authorized for irrigation pursuant to such water rights or portions of water rights during the two years preceding the last year; and

(2) with regard to water in each safe deposit account in the bank: (A) An accounting of the total quantity of water placed in such accounts during the past year and a balance at year end; (B) the total quantity of water used during the past year, and acres irrigated if an irrigation water right, from the account; (C) the total quantity of water authorized to be diverted annually, the quantity actually used and the acres irrigated, if an irrigation water right, during the past year pursuant to the water rights or linked water rights related to such account; and (D) the total quantity of water used and acres irrigated pursuant to such water rights during the two years preceding the last year.

(b) The chief engineer may require owners of water rights deposited in a water bank, owners of water rights that have placed water in safety deposit accounts in a water bank and persons leasing water from a water bank to file annual water use reports at a date earlier than that provided by K.S.A. 82a-732, and amendments thereto.

(c) The report required by this section shall be in the form prescribed by the chief engineer.";

On page 4, in line 3, by striking "be permanently"; in line 4, by striking "extended" and inserting "lapse, or the bank should become chartered"; in line 13, by striking "permanently"; in line 16, by striking "charter is made permanent" and inserting "is chartered"; in line 18, by striking "Such" and inserting "The review"; in line 20, after "82a-765" by inserting ", 82a-766";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "82a-765" by inserting ", 82a-766"; and the bill be passed as amended.

Committee on **Agriculture and Natural Resources** recommends **SB 272** be amended on page 2, in line 20, by striking "and amendments thereto" and inserting "in effect upon the effective date of this act";

On page 3, in line 10, by striking "and amendments thereto" and inserting "on the effective date of this act"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2469** be amended on page 1, in line 8, by striking "or"; in line 9, by striking "subsection (b) of 22-3716"; also in line 9, by striking "a"; in line 10, by striking "separate" and inserting "an"; in line 12, after "court." by inserting "Any defendant entitled to counsel in a proceeding for a violation of a condition of release pursuant to K.S.A. 22-3716, and amendments thereto, shall pay an application fee of \$100 to the clerk of the district court. Such fee shall be paid regardless of whether the defendant has paid application fees pursuant to this section in any other proceeding."; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2503, HB 2515 reported correctly engrossed February 10, 2012.

Also, **HB 2525** reported correctly engrossed February 13, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, February 14, 2012.

Journal of the House

TWENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 14, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Prayer by Chaplain Brubaker:

Loving God,
Today is a day that we turn our attention and
focus to "love."
As we show expressions of our love to one another,
may we not neglect to reflect upon
the love that You have for us.
"You put *Your* love on the line for us
by offering *Your* Son in sacrificial death
while we were of no use whatever to *You*."
You then go on to tell us to
"love each other as *You* have loved us."
As we reach out to one another in a loving way,
we reach out to our colleague, Representative Grant,
whose brother just passed away.
Please show him and the family Your love,
strength, grace and comfort in these days.
We also pray for Sergeant-at-Arms, Wayne Owen,
who today is going through a very serious
and potentially dangerous surgery.
Thank you for those whom you have gifted with
knowledge, skills and abilities to perform this surgery.
Please be present in that operating room—
guiding and directing all medical personnel.
Be the source of strength and courage to the Owen family,
and bring complete healing to his body.
In Christ's Name I pray, Amen.
(Romans 5:8; John 15:12)

The Pledge of Allegiance was led by Rep. Wetta.

Kansas Trivia Question – What is the oldest building still standing in Kansas?

Answer: The Rookery, the first permanent headquarters for the military at Fort Leavenworth, which was built in 1832.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2745, AN ACT concerning the board of regents; relating to funding for remedial courses provided by state educational institutions; relating to exceptions to the qualified admissions standards; amending K.S.A. 2011 Supp. 76-717 and repealing the existing section, by Committee on Appropriations.

HB 2746, AN ACT concerning the court of appeals; relating to the number of judges; amending K.S.A. 2011 Supp. 20-3002 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Health and Human Services: **HB 2744**.

Transportation and Public Safety Budget: **HB 2743**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2686** from Committee on Appropriations and referral to Committee on Health and Human Services.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Phelps, **HR 6011**, by Reps. Phelps, Billinger, Cassidy, Collins, Denning, S. Gatewood, McLeland, Schwab and Weber, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6011**—

A RESOLUTION congratulating and commending Fort Hays State University for being named by *U.S. News & World Report* to the top tier of online education universities.

WHEREAS, Fort Hays State University emerges as the number two undergraduate online education program in the nation when *U.S. News & World Report* criteria are compared cumulatively; and

WHEREAS, Out of the many hundreds of universities in the nation that offer online education, Fort Hays State was one of only 40 that were given honor roll status, the highest distinction in the rankings; and

WHEREAS, *U.S. News & World Report* evaluated online bachelor's programs according to three criteria: (1) Teaching practices and student engagement; (2) student services and technology; and (3) faculty credentials and training. Graduate programs were evaluated by the same three criteria plus a fourth criterion, admissions selectivity; and

WHEREAS, Fort Hays State ranked sixth in the nation in the category of teaching practices and student engagement, ahead of universities such as the University of South Carolina, the University of Cincinnati and the University of Florida. In the category of

student services and technology, Fort Hays State ranked 10th in the nation, ahead of Western Kentucky University, Penn State University and the University of Florida. In the category of faculty credentials and training, Fort Hays State ranked 35th in the nation, ahead of Arizona State University, the University of Denver and the University of Missouri; and

WHEREAS, Three of Fort Hays State's graduate online programs also received rankings of distinction and finished ranked ahead of several large and nationally recognized universities; and

WHEREAS, The graduate business program, or master of business administration, ranked fifth in the nation in the student services and technology category, ahead of George Washington University, Indiana University and Arizona State University. The masters in nursing program ranked sixth in the nation, ahead of Loyola University Chicago, St. Louis University and Duke University. The masters in education program ranked 14th in the nation, ahead of the University of Texas, Florida State University and Indiana University; and

WHEREAS, Not only does Fort Hays State's online education program rank highly in quality, but also in affordability. GetEducated.com recently ranked the master of liberal studies with a concentration in justice studies and the bachelor of science in information technology and telecommunications/computer networking as number one in the nation for affordability. Four other Fort Hays State online programs were ranked second most affordable and a fifth program was ranked third most affordable; and

WHEREAS, Such outstanding achievements could not have been accomplished without the hard work and forward thinking of the faculty, staff and administrators of Fort Hays State University: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Fort Hays State University for its distinguished online education program and we wish them continued success in their climb to the top of the rankings; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Phelps.

There being no objection, the following remarks of Rep. Phelps are spread upon the journal:

U.S. News & World Report, which produces one of the most popular annual rankings of universities, released its first-ever national rankings for online education. Fort Hays State University was among the leaders in most of the categories. Its undergraduate programs ranked #2 nationally and three of its graduate programs received rankings of distinction.

Fort Hays State University is a forward-thinking liberal and applied arts university, and is recognized internationally for offering more than 60 degrees in a technology-rich environment.

Founded in 1902 as the western branch of the Kansas Normal School, Fort Hays State has never wavered from its mission to provide a quality education.

Today, FHSU offers over 5,000 students an outstanding on-campus experience by delivering opportunities for higher education to the 66 counties of western Kansas. In addition, FHSU serves another 7,900 students in greater Kansas and around the world

through its award-winning Virtual College which offers 34 bachelor's and master's programs and over 50 undergraduate and graduate certificates.

Fort Hays State University has aggressively worked hard to incorporate a business-like mentality and efficiencies of operation to maintain low cost of delivery, resulting in a high-value educational offering for students in Kansas and through the United States and the world.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6012**—

By Representative McCray-Miller

A RESOLUTION requiring the legislative coordinating council to appoint a special committee to study a student athletic bill of rights during the 2012 interim.

WHEREAS, Meeting student-athletes' educational needs should be a priority for intercollegiate athletic programs; and

WHEREAS, Football and men's basketball student-athletes generate large revenues for many athletic programs, spend approximately 40 hours per week participating in their sport, and suffer current and historically low graduation rates; and

WHEREAS, Providing adequate health and safety protections for student-athletes can help prevent serious injury and death; and

WHEREAS, Student-athletes can be left to pay for medical expenses incurred from injuries suffered while participating in intercollegiate athletics; and

WHEREAS, Institutions of higher education should provide their student-athletes the same due process protections afforded to students that do not participate in athletics; and

WHEREAS, Athletic programs in this State are subject to Federal Title IX requirements; and

WHEREAS, Institutions of higher education should not punish its students for transferring to another institution of higher education: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the Legislative Coordinating Council shall appoint a special committee to study during the 2012 interim the issue of enacting legislation establishing a student athletes' bill of rights; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the members of the Legislative Coordinating Council.

CONSENT CALENDAR

No objection was made to **HB 2588** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2588, AN ACT concerning water; relating to debt authorization for water districts; amending K.S.A. 19-3553 and K.S.A. 2011 Supp. 82a-619 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed.

HB 2503, AN ACT concerning agriculture; relating to agricultural boards and advisory bodies; amending K.S.A. 2011 Supp. 2-3709, 74-552, 74-553 and 74-50,163 and repealing the existing sections; also repealing K.S.A. 74-551, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

HB 2515, AN ACT enacting the competitive bid protection act, was considered on

final action.

On roll call, the vote was: Yeas 90; Nays 34; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

EXPLANATION OF VOTE

Even though this provision is not often used, **HB 2515** promotes state intervention in how local governments choose to spend their money. Bigger, more intrusive state government is reason enough to vote no. But this is also an attempt to preclude local governments from ensuring that local workers get jobs and that those jobs pay a living wage. This is a thinly-veiled notch in the belt for the anti-labor, anti-Kansas worker lobby. A sad day for Kansas. I vote no. — ANN MAH

HB 2525, AN ACT concerning the optometry law; amending K.S.A. 65-1509a, 65-1514, 65-1517 and 65-7003 and K.S.A. 2011 Supp. 65-1501, 65-1501a, 65-1505, 65-1509, 65-1518, 65-4101, 74-1503 and 74-1505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop,

Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

SB 211, AN ACT concerning pharmacists; relating to dispensing prescriptions; amending K.S.A. 2011 Supp. 65-1637 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson.

The bill passed, as amended.

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. K. Wolf in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. K. Wolf, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2489**, **HB 2526**, **HB 2486**, **HB 2505** be passed.

Committee report recommending a substitute bill to **Sub HB 2207** be adopted; and and the substitute bill be passed.

Committee report to **HB 2510** be adopted; also, on motion of Rep. Pauls to refer the bill to Committee on Appropriations, the motion did not prevail, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2517** be amended on page 3, in line 7, by striking all after "(2)"; by striking all in lines 8 through 11; in line 12, by striking "(3)";

And renumbering paragraphs accordingly;

Also on page 3, in line 38, by striking all after the period; by striking all in line 39 and 40; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2442** be amended on page 5, in line 13, by striking "bid" and inserting "total bid cost"; in line 16, after "term" by inserting "and a condition that the certified business shall not subcontract for goods or services in an aggregate amount of more than 25% of the total bid cost";

On page 7, in line 4, by striking "and"; in line 5, by striking all after "(C)"; by striking all in line 6 and inserting "offers to contribute at least 70% of the premium cost for individual health insurance coverage for each employee. The level of such coverage shall be at least equal to the level of benefits offered by the state employee benefit program established by K.S.A. 75-6501 *et seq.*, and amendments thereto. The department of administration shall require a certification of these facts as a condition to the certified business being awarded a contract pursuant to subsection (b);

(D) does not employ individuals under a certificate issued by the United States secretary of labor under subsection (c) of 29 U.S.C. § 214; and

(E) participates in e-verify for verification of employment eligibility of all new employees hired on and after the effective date of this act;";

Also on page 7, in line 16, by striking "or"; in line 19, after "amended;" by inserting "or

(C) is an individual with a severe and persistent mental illness, as determined by a clinical or functional assessment approved by the secretary of social and rehabilitation services;";

Also on page 7, in line 26, by striking "mental retardation" and inserting "intellectual disability"; in line 31, by striking "mental retardation" and inserting "intellectual disability"; in line 35, after "(h)" by inserting "Any state agency authorized by the director of purchases to make purchases pursuant to subsection (e) of K.S.A. 75-3739, and amendments thereto, shall consider any unsolicited proposal for goods or services under this section.

(i)";

Also on page 7, in line 38, by striking "(i)" and inserting "(j)";

On page 8, in line 6, by striking "services under a"; in line 7, by striking "program" and inserting "or other medicaid program services"; in line 10, by striking "services under a"; also in line 10, by striking "program" and inserting "or other medicaid program services"; in line 13, by striking "(j)" and inserting "(k)"; in line 35, after "(5)" by inserting "medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended as administered by the department of social and rehabilitation services, or its fiscal agent, or any successor federal or state, or both, health insurance program or waiver granted thereunder;

(6)";

Also on page 8, in line 37, by striking "(6)" and inserting "(7)"; in line 41, after "services" by inserting "or other medicaid program services"; in line 43, after "services" by inserting "or other medicaid program services";

On page 9, in line 1, by striking all after "(1)"; in line 2, by striking all before "such"; in line 3, by striking "services under a"; also in line 3, by striking "program" and inserting "or other medicaid program services"; in line 5, by striking "services under a";

in line 6, by striking "program" and inserting "or other medicaid program services"; in line 8, after "reason;" by inserting "and"; in line 11, by striking "; and"; by striking all in lines 12 through 18; in line 19, by striking "program," and inserting ". Upon reinstatement to the medicaid program to receive home and community based services or other medicaid program services,"; in line 21, by striking all after "(c)"; by striking all in lines 22 through 31; in line 32, by striking "(d)"; and the bill be passed as amended.

Committee on **Children and Families** recommends **HB 2537** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Children and Families** recommends **HB 2444** be amended on page 2, in line 5, by striking "with a disability";

On page 3, in line 16, by striking "2013" and inserting "2014"; also in line 16, after "thereafter" by inserting ", and publish the school policy, as set forth in this act, to ensure uniformity and compliance with this act. A copy of the school policy shall be issued to each public school"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2494** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2232** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2232," as follows:

"Substitute for HOUSE BILL NO. 2232

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, criminal procedure and punishment; amending K.S.A. 2011 Supp. 21-5708 and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2232** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2465** be amended on page 9, in line 37, after "monitored" by inserting "upon release from imprisonment"; in line 39, after "monitoring" by inserting "as determined by the prisoner review board"; also in line 39, by striking "In determining the amount and"; by striking all in lines 40 through 42;

On page 19, in line 30, before "K.S.A." by inserting "subsection (r) of"; in line 31, by striking "or court"; in line 34, by striking "or court"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2468** be amended on page 2, in line 28, by striking colon and inserting a comma; in line 29, by striking "(A)"; in line 31, by striking the semicolon and inserting a period; by striking all in lines 32 through 34; in line 35, by striking "(3)" and inserting "(d)";

Also on page 2, following line 41, by inserting:

"(e) All disclosures shall be made at the times and in the sequence directed by the court. In the absence of other directions from the court or stipulation by the parties, such disclosures shall be made as provided in this section.";

And by relettering the remaining subsections accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2613** be amended on page 1, in line 33, by striking "5" and inserting "6";

On page 2, in line 17, by striking "the protection from"; in line 18, by striking "abuse act" and inserting "this section";

On page 5, in line 5, by striking all after "except" and inserting "as provided in subsection (e)(1) and (e)(2)."; in line 7, by striking "; and" and inserting a period; in line 11, by striking "attempted or committed a person"; on line 12, by striking "felony" and inserting "has been convicted of a person felony or any conspiracy, criminal solicitation or attempt thereof,"; in line 13, after the comma by inserting "committed against the plaintiff or any member of the plaintiff's household,";

On page 6, in line 7, by striking "the protection from"; in line 8, by striking "stalking act" and inserting "this section";

On page 7, in line 3, before "as" by inserting "except"; in line 10, by striking "attempted or committed a person"; in line 11, by striking "felony" and inserting "has been convicted of a person felony or any conspiracy, criminal solicitation or attempt thereof,"; in line 12, after the comma by inserting "committed against the plaintiff or any member of the plaintiff's household,"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2425** be amended on page 6, in line 9, by striking "in compliance with" and inserting "of such receipts and expenditures no later than eight days prior to the election at which such question is submitted and follow the reporting requirements in"; in line 10, by striking "both the office of"; in line 11, by striking "the secretary of state and in"; and the bill be passed as amended.

Committee on **Energy and Utilities** recommends **HB 2685** be passed.

Committee on **Government Efficiency** recommends **HB 2596, HB 2597, HB 2604, HB 2605, HB 2626** be passed.

Committee on **Health and Human Services** recommends **HB 2631** be amended on page 3, in line 2, by striking all after "children"; by striking all in lines 3 and 4; in line 5, by striking "health services" and inserting "who are dentally underserved are targeted";

On page 4, in line 9, by striking "1,800" and inserting "1,600"; in line 38, by striking "six" and inserting "three";

On page 5, in line 8, by striking all after "children"; by striking all in lines 9 and 10; in line 11, by striking all before the semicolon and inserting "who are dentally underserved are targeted";

On page 6, in line 12, by striking the period; in line 14, after "mobility;" by inserting "and"; by striking all in line 15; in line 16, by striking all before "other"; in line 20, after "are" by inserting "temporary or";

On page 7, following line 20, by inserting:

"(m) As used in this section, "dentally underserved" means a person who lacks resources to pay for medically necessary health care services and who meets the eligibility criteria for qualification as a medically indigent person established by the secretary of health and environment under K.S.A. 75-6120, and amendments thereto.";

On page 10, in line 25, after "(C)" by inserting "as part of"; in line 28, by striking the period and inserting a comma; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2485** be amended on page 1, in line 32, by striking "2013" and inserting "2014";

On page 2, by striking all in lines 16 through 28; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2530** be amended on page 1, in line 27, following "services." by inserting "On and after June 30, 2013, such persons shall be segregated at all times from any other patient in a facility or building under the supervision of the secretary of social and rehabilitation services."; and the bill be passed

as amended.

Committee on **Local Government** recommends **HB 2084** be amended on page 2, in line 26, following the period, by inserting "The commission shall submit such budget for approval to the board. If approved by the board, the board shall appropriate moneys as may be deemed necessary for such budget.";

On page 3, in line 14, by striking ": (1)"; in line 17, by striking "; and, (2) the issue of whether a vote of the"; by striking all in lines 18 and 19; in line 20, by striking all before the period;

On page 4, in line 1, by striking "general election of the county" and inserting "countywide election";

On page 10, in line 6, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2480** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2481** be amended on page 3, in line 41, after "relief" by inserting "that has been or may be filed on or after July 1, 1983,"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2747, AN ACT concerning taxation; relating to income and privilege tax rates; income tax deductions and credits and income determination; distribution of sales and use tax revenue; severance tax, exemptions; rural opportunity zones; amending K.S.A. 79-32,128 and K.S.A. 2011 Supp. 74-50,222, 79-1107, 79-1108, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,205, 79-3620, 79-3710 and 79-4217 and repealing the existing sections, by Committee on Taxation.

HB 2748, AN ACT concerning certain crimes; creating the crime of unlawful discharge of a firearm, by Committee on Federal and State Affairs.

HB 2749, AN ACT concerning school districts; relating to the regulation of school buses; amending K.S.A. 2011 Supp. 8-2009a and repealing the existing section, by Committee on Federal and State Affairs.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, February 15, 2012.

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 15, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

Rep. Ballard was excused on legislative business.

Prayer by guest chaplain, the Rev. Lynn R. Dickson, pastor, First Christian Church, Leavenworth, and guest of Rep. Goodman:

Blessed are You God of the Universe, Creator of Earth and Heaven and Giver of Life. We acknowledge Your Presence in the world and seek Your blessing in this new day. Grant that we may recognize the beauty of life and the joys of sharing it with one another and the people of this great State. We praise You for all the richness of our State with her resources and power to produce life giving bread, riches from under the earth, and power from her winds and sky. Most of all we thank you for all her people and the blessings they bring; for they are our greatest asset and bring our greatest responsibility.

The citizens of this House of Representatives have been charged with a greater responsibility to charter direction and to provide leadership for Kansas that all our people may prosper. Like Albus Dumbledore we recognize that "Dark and difficult times lie ahead. Soon we must all face the choice between what is right and what is easy." Give these House members courage to make the choices that show true leadership in providing life and opportunity to all of the citizens of this great State.

We know that we all will be judged. May this House be judged as one who didn't waste its time or the money of the people, but worked selflessly in cooperation with others to make this State even greater and provided for the common good by lifting up the weak and insuring that all her citizens had all they needed. May Kansas be known not just as the home State of great basketball, but as a State where the ideals and characteristics of America are lived at their highest. Amen.

The Pledge of Allegiance was led by Rep. Gregory.

Kansas Trivia Question – During the early years of the twentieth century, the state legislature considered declaring Kansas a bilingual state. One language was to be English and what was the other?

Answer: German

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Seiwert and Kerschen are spread upon the Journal:

This morning I would like to recognize a school from my district, St. Joseph's Catholic School Ost in Mount Hope, Kansas for receiving the Governor's Award for Excellence in Education. To achieve this award schools must attain the "Standard of Excellence" in reading and mathematics and also make adequate yearly progress in both of these subjects. One hundred percent of all students at St. Joseph's passed their state assessment tests.

Out of all the elementary and middle schools in Kansas, St. Joseph's was one of forty three schools to achieve this honor. For this I commend the students, teaching staff, and the principal of St. Joseph's Catholic School Ost.

St Joseph's is represented today by its principal Eva Harmon and four students, Mackenzie Puetz, Chip Dockers, Chloe Allmond, and Allie Frasher. The students are also serving today as pages.

Reps. Seiwert and Kerschen presented a framed House certificate to the school.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Calloway and Grant are spread upon the Journal:

Remarks by Rep. Calloway:

With a record of 13-1, the Pittsburg State University Gorilla's are the 2011 NCAA Division II National Champions. The 2011 National Championship is the fourth in the history of the university. Twelve Gorillas earned All-MIAA honors, 12 Gorillas earned All-Super Region Four honors and nine Gorillas captured NCAA Division II All-American recognition.

We are extremely proud of this team's accomplishments on the field, but we are also proud of their accomplishments in the classroom. In addition to bringing home a national championship, this team also earned a cumulative 3.0 GPA in the classroom. It is an indication of the focus Pittsburg State places on its academics.

Coach Tim Beck was selected as the 2011 Liberty Mutual NCAA Division II Coach of the Year, the 2011 FieldTurf NCAA Division II Coach of the Year, and the 2011 Don Hansen NCAA Division II Coach of Year.

Remarks by Rep. Grant:

It is with great GORILLA PRIDE, I stand before you today and tell you how proud southeast Kansas and the state of Kansas is of the 2011 NCAA Division II National Champion Pittsburg State University Gorillas. These coaches and team members ended

the 2010 season with a win but also a 6-6 season.

To watch them come together and grow as a winning team was a sight to see. They will remember this championship for the rest of their lives.

Gentlemen, thank you for the thrill, the memories and most of all for the fourth national championship for Pittsburg State and I am sure it will not be the last.

The Gorillas are in the house.

Coach Beck was presented with framed House certificates for his selection as coach of the year and one for the team's national championship.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2750, AN ACT concerning oil and gas; relating to responsibility for maintenance of a well; amending K.S.A. 55-179 and repealing the existing section, by Committee on Appropriations.

HB 2751, AN ACT concerning certain recreational areas; relating to use of property, by Committee on Federal and State Affairs.

HB 2752, AN ACT concerning elections; requiring candidates for state and federal office to provide proof of citizenship, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Appropriations: **HB 2745**, **HB 2746**.

Corrections and Juvenile Justice: **HB 2748**.

Education: **HR 6012**.

Taxation: **HB 2747**.

Transportation: **HB 2749**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2741**, **HB 2742** from Committee on Judiciary and referral to Committee on Appropriations.

MESSAGE FROM THE GOVERNOR

Sub HB 2178 approved on February 14, 2012.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Loganbill, **HR 6004**, A resolution proclaiming and celebrating the 125th anniversary of the founding of Bethel College, North Newton, Kansas, was adopted.

There being no objection, the following remarks of Rep. Loganbill are spread upon the Journal:

One hundred twenty-five years ago Bethel College was just an ambitious dream. Bethel College would serve Mennonites throughout North America and offer seminary training for ministers and missionaries and also offer a complete liberal arts education.

Today that dream still holds true for the students who come to Bethel. Higher education, with an emphasis on service, is a hallmark of one's Bethel College experience. Bethel graduates continue to serve the wider community all over the world. Bethel graduates have become missionaries, ministers, professors, teachers, inventors, artists, doctors, authors, museum directors, scientists, farmers, and legislators. Service was and is a core value of a Bethel College education. Today the Kansas House of Representatives is honoring that core value.

We have with us today the president, Dr. Perry White and two past presidents: Dr. Douglas Penner was president from 1995 to 2002 and LaVerne Epp was president from 2002 to 2005.

Mr. Speaker, I would be remiss if I did not mention the Bethel College – KU connection. The late basketball coach Otto Unruh, attended Bethel but transferred to KU where he played for Coach Phog Allen. Coach Unruh returned to Bethel to coach. In the fall of 1941 he invited Coach Allen and the KU Jayhawks to Bethel to help open Memorial Hall. Unfortunately, the Threshers lost to the Jayhawks 61 – 28. There is also a story of a “kidnapping” of a Newton High School basketball player from the 1948 Newton High School “Dream Team” by an overzealous KU alum. That basketball player went on to play for Bethel. Coach Allen is said to have remarked “Bethel? Bethel? What in the world do you want to go to Bethel for?”

Please join me in recognizing Bethel College as it celebrates its 125th anniversary.

CONSENT CALENDAR

Objection was made to **HB 2480, HB 2537** appearing on the Consent Calendar; the bills were placed on the Calendar under the heading General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2207, AN ACT concerning limited liability companies; relating to series limited liability companies; amending K.S.A. 17-7663 and 17-7682 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 89; Nays 35; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, LeDoux, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tietze, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Bethell, Bollier, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Flaharty, Frownfelter, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Knox, Kuether, Lane, Loganbill, Mah, Moxley, Pauls, Peterson, Phelps, Roth, Ruiz, Slattery, Sloan, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Ballard.
The substitute bill passed.

HB 2486, AN ACT concerning insurance; relating to examination of organizations and providers; amending K.S.A. 40-3211 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 19; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, Feuerborn, Flaharty, S. Gatewood, Henderson, Kuether, Lane, Mah, Meier, Peterson, Phelps, Ruiz, Tietze, Trimmer, Victors, Ward, Williams, Winn.

Present but not voting: None.
Absent or not voting: Ballard.
The bill passed.

HB 2489, AN ACT concerning certain natural gas public utilities cooperatives; deregulation, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.
Present but not voting: None.
Absent or not voting: Ballard.

The bill passed.

HB 2505, AN ACT concerning limitations on loans and borrowing; relating to derivative transactions; amending K.S.A. 9-1104 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard.

The bill passed.

HB 2510, AN ACT concerning the prison-made goods act; prohibiting the manufacture or production of manufactured homes or modular homes, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 37; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Aurand, Billinger, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meigs, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Suellentrop, Swanson, Tietze, Tyson, Vickrey, Victors, Ward, Weber.

Nays: Arpke, Bethell, Bollier, Bowers, Burroughs, Carlin, Colloton, Davis, Feuerborn, Finney, S. Gatewood, Gregory, Henderson, Hill, Johnson, Kiegerl, Kuether, LeDoux, McCray-Miller, Meier, Montgomery, Moxley, Pauls, Peterson, Phelps, Pottorff, Roth, Ruiz, Spalding, Trimmer, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Ballard.

The bill passed, as amended.

HB 2526, AN ACT concerning oil and gas; relating to regulation of hydraulic fracturing; amending K.S.A. 55-152 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. D. Gatewood in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. D. Gatewood, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **SB 272** be adopted; and the bill be passed as amended.

Committee report to **HB 2516** be adopted; and the bill be passed as amended.

Committee report to **HB 2253** be adopted; and the bill be passed as amended.

Committee report to **HB 2121** be adopted; and the bill be passed as amended.

Committee report to **HB 2546** be adopted; and the bill be passed as amended.

Committee report to **HB 2535** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Calendar and Printing** recommends **SB 118** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 118," as follows:

"HOUSE Substitute for SENATE BILL NO. 118

By Committee on Calendar and Printing

"AN ACT concerning the legislature; relating to legislative pages; amending K.S.A. 46-

158 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 118** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2600** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **HCR 5032** be adopted.

Education Budget Committee recommends **HB 2435** be amended on page 2, in line 30, by striking "(a)"; in line 32, by striking "(1)" and inserting "(a)"; also in line 32, by striking "(A)" and inserting "(1)"; in line 39, by striking "(B)" and inserting "(2)";

On page 3, in line 2, after "scholarship;" by inserting "and"; in line 3, by striking "(2)" and inserting "(b)"; in line 14 by striking the semicolon and inserting a period; and the bill be passed as amended.

Education Budget Committee recommends **HB 2439** be amended on page 1, in line 7, after "section" by inserting a colon; in line 8, by striking the comma and inserting "(1)"; following line 18, by inserting "(2) "School year" means school years 2009-2010 through 2016-2017."; following line 23, by inserting:

"(3) determine the number of military pupils enrolled in each district on September 20, who were not enrolled on the succeeding February 20; and

(4) subtract the number determined under paragraph (3) from the number determined under paragraph (2).";

Also on page 1, in line 24, by striking "number obtained under (b)(2)" and inserting "difference obtained under paragraph (b)(4)"; in line 25, by striking "the number obtained under (b)(2)" and inserting "such difference"; in line 26, after "under" by inserting "paragraph"; in line 27, by striking "number obtained under (b)(2)" and inserting "difference obtained under paragraph (b)(4)"; in line 28, after "under" by inserting "paragraph"; also in line 28, by striking "number obtained under"; in line 29, by striking "(b)(2)" and inserting "difference obtained under paragraph (b)(4)"; also in line 29, after "under" by inserting "paragraph"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **HB 2593** be amended on page 3, in line 25, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2484** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Local Government** recommends **HB 2166** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2166," as follows:

"Substitute for HOUSE BILL NO. 2166

By Committee on Local Government

"AN ACT concerning cities; relating to the publication of certain ordinances; amending K.S.A. 12-3001 and 12-3007 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2166** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2591** be amended on page 2, in line 5, by striking "carryforward" and inserting "carryforward"; in line 6, by striking "subsectoin" and inserting "subsection"; in line 21, after the comma by inserting "within 36 months

of the date of the agreement with the secretary of commerce,"; in line 23, after the period by inserting "A corporation that has entered into a separate agreement with the secretary of commerce shall have 54 months to comply with the capital investment and job creation requirements set forth in subsection (b) of K.S.A. 79-32,141, and amendments thereto.";

On page 5, in line 6, by striking "and"; in line 7, by striking all before "any"; by striking all in lines 22 through 34; in line 35, by striking all before "The"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2432, HB 2612** be passed.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced the appointment of Rep. Landwehr to replace Rep. McLeland on Committee on Appropriations February 16-22.

REPORT ON ENGROSSED BILLS

HB 2510 reported correctly engrossed February 14, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, February 16, 2012.

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 16, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Prayer by Chaplain Brubaker:

Jehovah God,
Today we will have many opportunities to make choices:
to be antagonistic or affable;
to pretend or to perform;
to build barriers or remove roadblocks;
to attack issues or attack people;
to find fault or to find a remedy;
to criticize or to compliment;
to diminish or to encourage;
to be comfortable or to change;
to lead or to linger;
to nibble at the negative or
to be nourished by the positive.
Please help us make wise choices.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hoffman.

Kansas Trivia Question – In a 1937 survey, Kansas was found to have published more of what than any other state?

Answer: Newspapers. Kansas counted 4,368 while New York only had 3,309.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Proehl are spread upon the Journal:

The Governor signed a Proclamation that today, February 16, 2012, is Kansas Phi Theta Kappa All-State Academic Team Day. And today I am proud to introduce to you the Phi Theta Kappa All State Academic Team. Ten of those scholars are here on the Floor with me and the remainder are in the Gallery with us today.

Phi Theta Kappa is an International Honor Society for two year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join Phi Theta Kappa whose mission is two-fold:

to recognize and encourage the academic achievement of two-year college students, and

to provide opportunities for individual growth and development through participation in honors, leadership, service and fellowship programming.

Fifty three students have been named to the All Kansas Academic Team and they represent all Nineteen Kansas community colleges from across Kansas and were named to this team based upon their academic achievement, leadership and community service.

Because of their academic achievement, service and leadership they have been awarded scholarship and stipends to complete their education and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

2012 Representatives

Xavier Capalla – Kansas City Kansas Community College

Jennifer Clark – Independence Community College

Nicole Ferguson – Neosho County Community College - Ottawa

Taylor Frederiksen – Pratt Community College

Daniel Guterrez – Garden City Community College

Justin Merritt – Neosho County Community College - Chanute

Silvana Palau – Johnson County Community College

John Stringer – Labette Community College

Xavia Warren – Butler Community College

Fidez Ybanez – Cloud County Community College - Geary

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2753, AN ACT concerning income taxation; relating to schools; enacting the Kansas educational opportunities act; authorizing an income tax credit and prescribing procedures and limitations thereto, by Committee on Taxation.

HB 2754, AN ACT concerning the state directory of new hires; relating to information submitted by employers; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section, by Committee on Appropriations.

HB 2755, AN ACT concerning the state fair; relating to capital improvements on the state fairgrounds, by Committee on Appropriations.

HB 2756, AN ACT concerning taxation; establishing an income tax credit for certain persons obtaining employment in a rural opportunity zone, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **HB 2751**.

Elections: **HB 2752**.

Energy and Utilities: **HB 2750**.

CONSENT CALENDAR

No objection was made to **HB 2484**, **HB 2600** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2121, AN ACT concerning cremation; relating to the authority of coroners to issue permits; amending K.S.A. 65-2426a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Feuerborn, Peterson.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

HB 2253, AN ACT concerning civil procedure; relating to private rights of action; certain restrictions, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward,

Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Davis, Dillmore, Flaharty, Lane, Peterson, Tietze, Winn.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

HB 2516, AN ACT concerning water; relating to the Kansas water banking act; amending K.S.A. 2011 Supp. 82a-765, 82a-766 and 82a-767 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

HB 2535, AN ACT concerning the prisoner review board; updating references and corresponding changes due to the transfer of authority from the Kansas parole board to the prisoner review board; amending K.S.A. 22-3706, 22-3709, 22-3710, 22-3711, 22-3712, 22-3713, 22-3718, 22-3719, 22-3720, 22-3722, 22-3726, 22-4111, 60-4305, 74-7320, 74-7321, 74-9102 and 75-5202 and K.S.A. 2011 Supp. 12-4516, 19-4804, 21-6603, 21-6606, 21-6609, 21-6614, 21-6803, 22-3701, 22-3717, 22-3728, 22-3729, 22-4701, 59-29a02, 74-4911f, 74-9101, 75-4318, 75-4319, 75-5210a, 75-5217, 75-5266, 77-421 and 77-603 and repealing the existing sections; also repealing K.S.A. 22-3707a and 22-3708 and K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c and 22-3707, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 28; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux,

Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Williams, Winn.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

HB 2546, AN ACT concerning the Kansas military board; relating to the conveyance of certain property, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

SB 272, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2011 Supp. 82a-736 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast,

McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: McLeland.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Mast in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Mast, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2537**, **HB 2499** be passed.

HCR 5031 be adopted.

Committee report to **HB 2324** be adopted; and the bill be passed as amended.

Committee report to **HB 2469** be adopted; and the bill be passed as amended.

Committee report to **HB 2413** be adopted; also, on motion of Rep. Colloton, be amended on page 4, in line 18, by striking all after "(15)"; by striking all in lines 19 through 28; in line 29, by striking all before the period and inserting "After receipt of information pursuant to subsection (f), forward such information for each listed defendant, if available, to the state board of indigents' defense services in an electronic format and in the manner determined by the secretary: (A) The defendant's name; (B) social security number; (C) Kansas adjusted gross income; (D) number of exemptions claimed; and (E) the relevant tax year of such records. Any social security number provided to the secretary and the state board of indigents' defense services pursuant to this section shall remain confidential"; in line 36, after "(f)" by inserting "For the purpose of determining whether a defendant is financially able to employ legal counsel under the provisions of K.S.A. 22-4504, and amendments thereto, in all felony cases with appointed counsel where the defendant's social security number is accessible from the computer records of the district court, the court shall electronically provide the defendant's name, social security number, district court case number and county to the secretary of revenue in the manner and format agreed to by the office of judicial administration and the secretary.

(g)"; and **HB 2413** be passed as amended.

Committee report to **HB 2496** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2470** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2666** be amended on page 1, in line 29, by striking "subsection (e)" and inserting "subsections (e) and (f)";

On page 2, in line 1, by striking "subsection (e)" and inserting "subsections (e) and (f)";

On page 3, in line 43, by striking "subsection (e)" and inserting "subsections (e) and (f)";

On page 4, in line 8, by striking "subsection (e)" and inserting "subsections (e) and (f)";

On page 5, in line 23, by striking "subsection (e)" and inserting "subsections (e) and (f)"; in line 33, by striking "subsection (e)" and inserting "subsections (e) and (f)"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2568** be amended on page 2, following line 8, by inserting:

"(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5505, and amendments thereto";

Also on page 2, in line 15, by striking "or any municipal conviction";

On page 3, by striking all in lines 9 and 10;

And by redesignating paragraphs accordingly;

On page 4, in line 17, by striking "or any municipal conviction";

On page 5, in line 2, by striking "or any municipal conviction"; in line 13, by striking "or municipal court";

On page 6, in line 11, after "counseling" by inserting ", but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto";

On page 7, by striking all in lines 24 through 39;

On page 8, in line 1, by striking "(6)" and inserting "(2)"; in line 2, after "adjudication" by inserting:

"; and

(3) if the offender is released, the court shall:

(A) Complete a notice of duty to register, which shall include title and statute number of conviction or adjudication, date of conviction or adjudication, case number, county of conviction or adjudication, and the following offender information: Name, address, date of birth, social security number, race, ethnicity and gender;

(B) require the offender to read and sign the notice of duty to register, which shall include a statement that the requirements provided in this subsection have been explained to the offender;

(C) order the offender to report within three business days to the registering law enforcement agency in the county or tribal land of conviction or adjudication and to the registering law enforcement agency in any place where the offender resides, maintains employment or attends school, to complete the registration form with all information and any updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto; and

(D) provide one copy of the notice of duty to register to the offender and, within three business days, send a copy of the form to the law enforcement agency having initial jurisdiction and to the Kansas bureau of investigation";

Also on page 8, in line 21, after "registration" by inserting "or electronically submit all information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto, within three business days to the Kansas bureau of investigation";

On page 10, in line 24, after "registration" by inserting "or electronically submit all

information and updated information required for registration as provided in K.S.A. 22-4907, and amendments thereto, within three business days to the Kansas bureau of investigation";

On page 11, in line 4, by striking all after "(D)"; by striking all in line 5; in line 6, by striking "three business days" and inserting "ensure all offender information required by the national crime information center is transmitted into the national sex offender registry system within three business days of such information being electronically submitted to the Kansas bureau of investigation";

On page 20, in line 4, by striking "or municipal court"; in line 14, by striking "or municipal court";

On page 22, in line 12, by striking "or municipal"; in line 15, by striking "and (d)" and inserting ", (d) and (e)"; by striking all in lines 38 through 40;

And by renumbering remaining paragraphs accordingly;

On page 23, following line 7, by inserting:

"(c) Notwithstanding subsection (a), information posted on an internet website sponsored or created by a registering law enforcement agency or the Kansas bureau of investigation shall not contain the address of any place where the offender is an employee or any other information about where the offender works. Such internet website shall contain a statement that employment information is publicly available and may be obtained by contacting the appropriate registering law enforcement agency.";

And by redesignating subsections accordingly; and the bill be passed as amended.

Committee on **Education** recommends **HB 2430** be passed.

Committee on **Education** recommends **HB 2477** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2477," as follows:

"Substitute for HOUSE BILL NO. 2477

By Committee on Education

"AN ACT concerning compulsory school attendance laws; relating to educational alternatives; amending K.S.A. 2011 Supp. 72-1111 and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2477** was thereupon introduced and read by title.)

Committee on **Energy and Utilities** recommends **HB 2708** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

General Government Budget Committee recommends **HB 2414** be passed.

Committee on **Government Efficiency** recommends **HB 2669, HB 2682, HB 2683, HB 2684, HB 2704** be passed.

Committee on **Health and Human Services** recommends **HB 2416, HB 2520, HB 2660** be passed.

Committee on **Judiciary** recommends **HB 2569** be passed.

Committee on **Judiciary** recommends **HB 2464** be amended on page 3, in line 40, after "ample" by inserting "and liberal"; in line 42, after "facility" by inserting ", whether inside or outside the state of Kansas,."; and the bill be passed as amended.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **SB 211**, requests a conference and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the

Senate.

REPORT ON ENGROSSED BILLS

HB 2121, HB 2253, HB 2516, HB 2546 reported correctly engrossed February 15, 2012.

Also, **HB 2535** reported correctly engrossed February 16, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6011 reported correctly enrolled and properly signed on February 16, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Friday, February 17, 2012.

Journal of the House

TWENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 17, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Reps. Slattery and Ward were excused on verified illness.

Reps. Bollier, Brunk, McLeland, Swanson and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord,
We give thanks that it is Friday,
and in a few hours we will be on our way.
Please grant us a good weekend,
as we spend time with family and friends.
We ask for protection for those who travel,
and help us all, our stress to unravel.
However, we recognize that before we leave,
there are still actions and decisions to achieve.
So give us direction, insight and clarity.
for solutions of which we can all agree,
and for this poor poetry to end.
I pray in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Proehl.

Kansas Trivia – During the state's centennial in 1961, many men celebrated by growing what?

Answer : Beards

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2757, AN ACT concerning roads and bridges; relating to memorial bridges; designating bridge no. 060 on United States highway 77 in Marshall county as the SP4 Michael T. Martin memorial bridge; designating bridge no. 054 on United States highway 36 in Marshall county as the SGT Joseph A. Zutterman Jr. memorial bridge, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2755**.

Commerce and Economic Development: **HB 2754**.

Taxation: **HB 2753, HB 2756**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2735** from Committee on Taxation and referral to Committee on Transportation.

MESSAGE FROM THE SENATE

Announcing passage of **SB 306; Sub SB 307; SB 320, SB 335, SB 341, SB 369, SB 386, SB 395, SB 403, SB 404**.

Announcing passage of **HB 2428, HB 2451, HB 2490**.

Announcing adoption of **HCR 5017**.

The Senate concurs in House amendments to **H Sub for SB 191**, and requests return of the bill.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 306; Sub SB 307; SB 320, SB 335, SB 341, SB 369, SB 386, SB 395, SB 403, SB 404.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 211**.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **HB 2708** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2484, HB 2600** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2324, AN ACT concerning cigarettes and tobacco products; relating to electronic cigarettes; amending K.S.A. 2011 Supp. 79-3321 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 6; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney,

Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Gordon, Landwehr, Lane, LeDoux, Schwab.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

HB 2413, AN ACT concerning criminal procedure; relating to aid to indigent defendants; disclosure of tax information by department of revenue; amending K.S.A. 2011 Supp. 79-3234 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3234b, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 4; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Flaharty, Henderson, Lane, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

HB 2469, AN ACT concerning crimes, criminal procedure and punishment; relating to payment of board of indigents' services fees; relating to parole revocation proceedings; amending K.S.A. 22-4529 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 13; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney,

Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Vickrey, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Flaharty, S. Gatewood, Henderson, Kuether, Lane, LeDoux, Mah, Peterson, Ruiz, Tyson, Victors, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

Sub HB 2470, AN ACT concerning scrap metal dealers; relating to unlawful acts; fees; amending K.S.A. 2011 Supp. 50-6,111 and 50-6,112a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The substitute bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: **Sub HB 2470** started out good, and then it got better. The actions of the Judiciary Committee to remove the RE-registration fee required of scrap metal dealers are a welcome change. Now, a dealer will only have to pay a renewal fee after their ten year registration period ends. **Sub HB 2470** actually reduces the cost of doing business for some Kansas businesses. Glory be! It's a good start. I vote AYE.-- TRENT LEDOUX

HB 2496, AN ACT concerning law enforcement; relating to law enforcement officers and juvenile justice authority employees; amending K.S.A. 2011 Supp. 38-2386 and 74-

5602 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed, as amended.

HB 2499, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the masonic lodge license plate, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 8; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Garber, Gregory, Hedke, Hildabrand, Kinzer, Ryckman, Tyson.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed.

HB 2537, AN ACT concerning the revised Kansas code for care of children; relating to legislative access; amending K.S.A. 2011 Supp. 38-2212 and 38-2213 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 74; Nays 44; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Bruchman, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, Mast, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Vickrey, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Brown, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Grosserode, Henderson, Henry, Hildabrand, Kelley, Kinzer, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, Pauls, Peterson, Phelps, Pottorff, Ruiz, Schroeder, Schwab, Shultz, Tietze, Trimmer, Tyson, Victors, Wetta, Williams, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The bill passed.

HCR 5031, A concurrent resolution urging the United States Department of Defense to reevaluate the types of treatment facilities where the TRICARE military health care program provides coverage of substance abuse treatment and to seriously consider allowing coverage in less restrictive outpatient environments, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Brunk, McLeland, Slattery, Swanson, Ward, Weber.

The resolution was adopted.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Kleeb in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kleeb, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2685** be passed.

Committee report recommending a substitute bill to **H Sub for SB 118** be adopted; also, on motion of Rep. Peck, be amended on page 1, in line 7, by striking "\$3" and inserting "\$5"; in line 9, by striking "\$3" and inserting "\$5"; and the substitute bill be passed as amended.

Committee report to **HB 2531** be adopted; also, on motion of Rep. Burroughs to amend, the motion did not prevail, and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2455** be adopted; and the substitute bill be passed.

Committee report to **HB 2593** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **H Sub for SB 118** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 118, AN ACT concerning the legislature; relating to legislative pages; amending K.S.A. 46-158 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 2; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Arpke, Ballard, Billinger, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bethell, Boman.

Present but not voting: None.

Absent or not voting: Aurand, Bollier, Brunk, Crum, Donohoe, Grant, Hayzlett, Huebert, McLeland, Peterson, Slattery, Swanson, Ward, Weber.

The substitute bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2551, SB 289** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2295** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2295," as follows:

"Substitute for HOUSE BILL NO. 2295

By Committee on Agriculture and Natural Resources

"AN ACT concerning wildlife, parks and tourism; relating to crossbows; relating to deer hunting; amending K.S.A. 2011 Supp. 32-937 and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2295** was thereupon introduced and read by title.)

Committee on **Agriculture and Natural Resources** recommends **HB 2563** be amended on page 1, in line 7, by striking "state" and inserting "Kansas"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2627** be amended on page 1, in line 6, by striking "subsection (b)" and inserting "subsections (b) and (c)"; in line 19, after "(b)" by inserting "Pursuant to a signed written agreement between the employer and employee,."; in line 24, after the semicolon by inserting "and"; in line 25, by striking "value" and inserting "cost or unpaid balance of the cost"; in line 26, by striking "and"; by striking all in lines 27 through 30; in line 31, after "(c)" by inserting:

"Upon providing a written notice and explanation, an employer may withhold, deduct or divert any portion of an employee's final wages for the following purposes:

(1) To recover the employer's property provided to the employee in the course of the employer's business including, but not limited to, tools of the trade or profession, personal safety equipment, computers, electronic devices, mobile phones, proprietary information such as client or customer lists and intellectual property, security information, keys or access cards or materials until such time as such property is returned by the employee to the employer;

(2) to allow an employee to repay a loan or advance which the employer made to the employee during the course of and within the scope of employment;

(3) to allow for the recovery of payroll overpayment; and

(4) to compensate the employer for the value of the employer's merchandise, uniforms, company property, equipment, tools of the trade, or other materials intentionally purchased from the employer by the employee.

(d)"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2224** be amended on page 1, in line 30, by striking "to the secretary of state"; by striking all in lines 31 and 32 and inserting "by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto.

(f) All documents submitted as evidence of United States citizenship under this section shall be kept confidential pursuant to K.S.A. 25-2309(r), and amendments thereto.";

On page 2, in line 1, by striking "Within 10 days after the submittal of the names of the"; by striking all in lines 2 through 8 and inserting "Within 10 days after the submittal of the names of the candidates, the national political party committee shall submit proof that such candidates are natural born citizens of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election

board pursuant to K.S.A. 25-2309(m), and amendments thereto.

If the national political party does not submit the United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place those candidates' names on the ballot in this state.

(b) Any person filing an independent nomination petition for the office of the president of the United States pursuant to K.S.A. 25-305, and amendments thereto, shall provide proof that such candidate is a natural born citizen of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto, within 10 days after certification of such candidate's nomination petition. If such candidate does not submit United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place such candidate's name on the ballot in this state.

(c) Any person seeking write-in candidacy for the office of president of the United States pursuant to K.S.A. 25-305, and amendments thereto, shall provide proof that such person is a natural born citizen of the United States by providing a document or a photocopy of such document listed in paragraphs (1) through (13) of K.S.A. 25-2309(l), and amendments thereto, to the secretary of state, or by seeking an assessment of evidence of United States citizenship by the state election board pursuant to K.S.A. 25-2309(m), and amendments thereto, no later than 12 noon on the 2nd Monday preceding the general election for such office. If such person does not submit United States citizenship documents to the secretary of state or seek an assessment of evidence of United States citizenship by the state election board as required by this subsection, the secretary of state shall not place such person on the ballot in this state as a write-in candidate.

(d) All documents submitted as evidence of United States citizenship under this section shall be kept confidential pursuant to K.S.A. 25-2309(r), and amendments thereto."; and the bill be passed as amended.

Committee on **Government Efficiency** recommends **HB 2649, HB 2668, HB 2670, HB 2672, HB 2676, HB 2677, HB 2687, HB 2703, HB 2706** be passed.

Committee on **Health and Human Services** recommends **HB 2659** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2659," as follows:

"Substitute for HOUSE BILL NO. 2659

By Committee on Health and Human Services

"AN ACT relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502 and 65-6503 and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2659** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2621** be passed.

Committee on **Judiciary** recommends **HB 2562** be amended on page 1, in line 7, by striking "gratuitously" and inserting "without compensation"; also in line 7, after "assistance" by inserting "to a person, including a minor without first obtaining the

consent of the parent or guardian of such minor,"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2555** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2555," as follows:

"Substitute for HOUSE BILL NO. 2555

By Committee on Local Government

"AN ACT concerning certain municipalities; relating the conversion of recreation commissions."; and the substitute bill be passed.

(Sub **HB 2555** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2509**, **HB 2614** be passed.

Committee on **Transportation** recommends **HB 2417** be amended on page 1, in line 21, by striking "180 days after" and inserting "on"; in line 27, by striking "180 days after" and inserting "on";

On page 2, in line 37, by striking "45" and inserting "15"; in line 39, by striking "45" and inserting "15"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2557** be amended on page 8, in line 20, by striking "2104" and inserting "2014"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2599** be amended on page 2, in line 26, by striking all after the comma; by striking all in lines 27 through 30; in line 31, by striking all before the period and inserting "the owner may display a decal of the type described in K.S.A. 8-132, and amendments thereto, for the year of the vehicle so long as such decal is legible. Otherwise, on and after January 1, 2013, the owner may obtain a replacement decal from the county treasurer which displays the year of the vehicle"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 46, by Representative Meigs, congratulating Shawnee Mission Northwest Symphonic band for being one of eight bands in the state of Kansas selected to perform at the Kansas Music Educators Association;

Request No. 47, by Representative Meigs, congratulating Maranatha Academy Band for being one of eight bands in the state of Kansas selected to perform at the Kansas Music Educators Association;

Request No. 48, by Representatives Kelly and McCray-Miller, commending Henry Williams on receiving the prestigious 2011 Sargent Shriver Achievement Award and for dedication to the youth of Southeast Kansas;

Request No. 49, by Representative Gordon, commending Molly Rockefeller for receiving The Prudential Spirit of Community Award;

Request No. 50, by Representatives Henderson and Winn, congratulating Juanita Barnett in celebration of her 90th birthday on February 25, 2012;

Request No. 51, by Representative Pottorff, congratulating Hillside Christian Church of Wichita on their 90th Anniversary;

Request No. 52, by Representative Kinzer, congratulating Olathe South Falcons 2011 football team on winning the 2011 6A State Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

REPORT ON ENGROSSED BILLS

HB 2324, HB 2413, HB 2469, HB 2496 reported correctly engrossed February 17, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, February 20, 2012.

Journal of the House

THIRTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 20, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Kleeb, McLeland, O'Brien and Victors were excused on excused absence by the Speaker.

Present later: Rep. Kleeb.

Prayer by guest chaplain, the Rev. Jeff Lowther, pastor, Calvary Baptist Church, Stafford, and guest of Rep. Mitch Holmes:

Dear God, We humbly come before you this President's Day of 2012. We thank you for your continued faithfulness to us, to our state and to our nation. This holiday morning, we are reminded of your enduring love and sustaining power upon our country, and we are thankful that we can live in the United States of America. We are also thankful for the many who have served our nation as public servants, including those gathered here this morning.

Dear Lord, We pray for your continued blessing upon America. We recognize our need of you, and we pray that you will continue to sustain and bless our country. We also ask that you would pour your continued blessings upon the State of Kansas. We thank you for our state and for the opportunity to serve our fellow Kansans. Please bless this legislative body as they conduct business today and throughout the remainder of the session. Guide them. Lead them. Bless them, as only you can.

We thank you and beseech your blessings this day. Amen.

The Pledge of Allegiance was led by Rep. Winn.

Kansas Trivia Question – Along with inventing the game of basketball, James Naismith is also credited with inventing what important component of another sport?

Answer: The football helmet, which he devised as an alternative to taping his sore ear before a game.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Moxley and Tietze are spread upon the Journal:

The International Farm Youth Exchange (IFYE) had its beginning in 1948 after World War II as a two-way cultural exchange program to improve understanding among people. In the more than 55 years since its founding over 9,300 U.S. participants have lived and worked with families in over 100 countries and over 22,000 participants from other countries have lived with more than 55,000 American families who were their hosts.

In 1974 the IFYE name was officially changed to the International Four-H Youth Exchange to more accurately reflect the organization's constituency and mission.

It is our honor to introduce to you eight very special young people. The pages, 16 and 17 year olds from Kenya, and their school principal are here as guests of the U.S. Department of State. In order to come, each had to submit an essay on the qualities of leadership to the American Embassy in Nairobi, and then be interviewed. They are sponsored by Kansas 4-H Youth Development. When they go back to Kenya, they will put into practice a project they have developed while traveling here.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2758, AN ACT concerning the board of accountancy; relating to the special litigation reserve fund; authorizing transfers from the board of accountancy fee fund; prescribing guidelines, limitations and duties with respect thereto, by Committee on Appropriations.

HB 2759, AN ACT concerning alcoholic beverages; dealing with licensure of microbreweries; amending K.S.A. 2011 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **SB 306, Sub SB 307, SB 320.**

Judiciary: **SB 395, SB 403, SB 404.**

Local Government: **SB 341.**

Taxation: **SB 369, SB 386.**

Transportation: **SB 335, HB 2757.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2245** from Committee on Education and referral to Committee on Education Budget.

Also, the withdrawal of **HB 2497, HB 2602** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2662** from Committee on Local Government and referral to Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 102, SB 281, SB 299, SB 305, SB 316, SB 324, SB 325,**

SB 331, SB 348.**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was introduced and read by title:

SB 102, SB 281, SB 299, SB 305, SB 316, SB 324, SB 325, SB 331, SB 348.

CONSENT CALENDAR

No objection was made to **HB 2708** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2484, HB 2600** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2484, AN ACT concerning civil procedure; relating to depositions; amending K.S.A. 2011 Supp. 60-228 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The bill passed.

HB 2600, AN ACT concerning mental health information; relating to access by law enforcement officers; amending K.S.A. 2011 Supp. 65-5603 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe,

Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The bill passed.

Sub HB 2455, AN ACT concerning the motor fuel tax, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 15; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Burroughs, Frownfelter, Gordon, Grosserode, Henderson, Hildabrand, Landwehr, Lane, LeDoux, Meigs, O'Hara, Patton, Powell, Tyson.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The substitute bill passed, as amended.

HB 2531, AN ACT creating the workers compensation and employment security boards nominating committee; amending K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 36; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen,

Kiegerl, Kinzer, Knox, Landwehr, Mast, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Burgess, Burroughs, Calloway, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Osterman, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Thousands of Kansas families depend upon the protection of collective bargaining to protect their middle class life, much as a single homeowner depends on their neighborhood association to fight city hall. **HB 2531** rigs the process and denies workers a fair hearing before labor boards.

Equal justice under law requires a fair and impartial judge. **HB 2531** removes fair and impartial as a requirement for service on labor boards deciding disputes between workers and employers. That is wrong. I vote NO on **HB 2531**. – JIM WARD, ANN MAH, NILE DILLMORE

MR. SPEAKER: I vote NO on **HB 2531**. As Republican administrations took power after the election of 2010, many decided to begin punitive efforts against labor unions almost immediately.

John Kasich of Ohio was soundly defeated by a 2 to 1 margin on a measure to limit union rights by the very same voters who elected him Governor of Ohio. The voting public understands political manipulation. We should remain with the system that has served us well since 1993. – JANICE L. PAULS

MR. SPEAKER: **HB 2531** disrupts the balanced process for appointment of judges that hear Workers Compensation cases. These cases need impartial judges that will give injured Kansans a fair shake, but **HB 2531** will ensure the opposite.

At a time when this body should be working to restore the American Dream for the middle class, **HB 2531** goes out of its way to put Kansas workers at a disadvantage and stack the deck in favor of big business. I vote no. – PAUL DAVIS

MR. SPEAKER: Placing the selection of Appeals Board members solely in the hands of a political appointee is fraught with potential for manipulation. Regardless of the political leanings of the Secretary of Labor, whether pro-business, pro-labor, conservative or liberal, compliance with these philosophies should not be the standard for judging injured workers in the workers compensation system.

HB 2531 is just another attack by the Chamber of Commerce against Kansas workers. It is not enough that our workers are asked to do more for less, they are now subject to re-victimization should they get injured on the job. I vote no. – TOM BURROUGHS

HB 2593, AN ACT concerning interstate banking; relating to commission approval; amending K.S.A. 9-532, 9-533 and 9-534 and K.S.A. 2011 Supp. 9-535 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The bill passed, as amended.

HB 2685, AN ACT concerning water; relating to reservoir improvement districts, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 5; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlson, Gregory, Hildabrand, Tyson.

Present but not voting: None.

Absent or not voting: Kleeb, McLeland, O'Brien, Victors.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Grange in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Grange, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2432, HB 2612, HB 2569** be passed.

On motion of Rep. Colloton, **HCR 5032** be amended on page 2, in line 33, by striking "Chief Clerk of the House of"; in line 34, by striking "Representatives shall" and inserting "Secretary of State shall be directed to"; and the resolution be adopted as amended.

Committee report to **HB 2613** be adopted; and the bill be passed as amended.

Committee report to **HB 2468** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2232** be adopted; also, on motion of Rep. Siegfried, be passed over and retain a place on the Calendar. Rep. Burroughs subsequently rose on a point of order, requesting a ruling on the motion of Rep. Siegfried. The Rules Chair ruled that because the next bill had already been announced and the carrier of that bill recognized, that the motion was in order. (See further action in this Committee of the Whole report).

Committee report to **HB 2464** be adopted; and the bill be passed as amended.

Committee report to **HB 2473** be adopted; also, on motion of Rep. Brookens, be amended on page 4, in line 37, by striking all after "(b)(6)," and inserting "and drafts of a disclosure by an expert witness provided"; and the bill be passed as amended.

The Committee of the Whole returned to the discussion on **Sub HB 2232** (see previous action, this Committee of the Whole report). On motion of Rep. Colloton, **Sub HB 2232** be amended on page 1, in line 25, after "(1)" by inserting "with the intent to deliver such prescription-only drug to a person other than the holder of a valid prescription order";

Also, on motion of to recommend **Sub HB 2232** favorably for passage, the motion did not prevail.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2730** be amended on page 2, in line 25, by striking "following" and inserting "providing notice and an opportunity for a hearing in accordance with the provisions of"; in line 27, by striking "following" and inserting "providing notice and an opportunity for a hearing in accordance with the provisions of";

On page 7, in line 30, by striking "The lodging standards"; in line 31, by striking "promulgated by";

On page 10, in line 3, by striking "adjudication procedures of the"; in line 12, by striking "All"; by striking all in lines 13 through 15;

On page 11, in line 40, after the period by inserting "Upon application and a showing of cause therefor, the court may issue such search warrant.";

On page 12, in line 23, after "secretary" by inserting ", after providing notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act,"; by striking all in lines 29 through 31;

On page 20, in line 9, before "a" by inserting ", and the court may grant,";

On page 22, in line 18, by striking after the period; by striking all in lines 19 through 21; in line 22, by striking "article is detained or embargoed.";

On page 23, in line 19, after "secretary" by inserting ", after providing notice and an

opportunity for a hearing in accordance with provisions of the Kansas administrative procedure act,"; in line 21, by striking the second "or" and inserting "and"; by striking all in liens 25 through 27;

On page 27, in line 21, after "control" by inserting "for safety";

On page 28, in line 31, by striking "adjudication procedures of the";

On page 29, in line 17, by striking "65-668, 65-669,"; in line 18, by striking all before "65-674";

On page 1, in the title, in line 9, by striking "65-668, 65-669, 65"; in line 10, by striking "-669a, 65-670, 65-671,"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2637** be amended on page 5, in line 13, by striking "December 31" and inserting "March 31"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **HB 2638** be amended on page 3, in line 41, by striking all after "(2)"; by striking all in lines 42 and 43;

On page 4, by striking all in lines 1 through 3 and inserting "On forms required by the secretary, the employer shall report to the secretary the lump-sum amount of severance pay or separation pay received by the employee and the number of weeks such lump-sum payment represents in reference to the employee's gross weekly wage or gross weekly salary."; in line 30, by striking "2012" and inserting "2013"; in line 34, by striking "2013" and inserting "2014"; in line 39, by striking "2013" and inserting "2014";

On page 7, in line 45, by striking "of";

On page 12, in line 25, by striking "thirty-day" and inserting "thirty-day"; in line 28, by striking "2012" and inserting "2013"; in line 34, by striking "2013" and inserting "2014";

On page 20, in line 11, by striking "the secretary's advisory councils and through"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2737** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2498** be amended on page 1, in line 6, by striking "authorization" and inserting "recognition"; in line 7, by striking "There is hereby authorized" and inserting "This act recognizes"; in line 8, by striking "on and after July 1, 2012"; in line 11, by striking "shall" and inserting "may"; in line 19, after the period by inserting "If the case manager is contracted by the community mental health center, such case manager shall be licensed to practice in Kansas as a licensed psychologist, social worker, marriage and family therapist, professional counselor, master level psychologist or clinical psychotherapist.";

On page 2, in line 17, by striking "severe" and inserting "serious"; in line 31, after "thereof," by inserting "or prior to the filing of such complaint,"; in line 34, by striking all after "3" and inserting "or 4"; in line 35, by striking all before the second "felony"; in line 36, by striking the first comma and inserting "or"; in line 37, by striking all after "thereto"; in line 38, by striking all before the period; in line 41, by striking "shall" and inserting "may"; also in line 41, by striking "at least";

On page 3, by striking all in lines 3 and 4;

And by renumbering subparagraphs accordingly;

Also on page 3, in line 30, by striking "severe" and inserting "serious"; in line 37, by striking "severe and persistent" and inserting "serious";

On page 4, in line 22, after "plea" by inserting "or admit to any facts relating"; in line 37, after "charged" by inserting "or if no complaint has been filed, the date of the occurrence prompting the agreement"; in line 38, after "filed" by inserting "or if no complaint has been filed, such agreement shall be maintained by the county or district attorney"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2506** be amended on page 2, in line 14, after "8-2,144," by inserting "and amendments thereto, or a second or subsequent violation of K.S.A."; in line 15, after "thereto," by inserting "and such person has completed the mandatory period of suspension as provided in K.S.A. 8-1014, and amendments thereto,"; in line 20, after "thereto," by inserting "has not had a test refusal or test failure or alcohol or drug-related conviction, as those terms are defined in K.S.A. 8-1013, and amendments thereto, in the last five years, has not been convicted of a violation of subsection (b) of K.S.A. 8-1568, and amendments thereto, in the last five years"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2534** be amended on page 1, in line 8, after "officer" by inserting ", law enforcement agency"; in line 12, by striking "for a period of 12 hours or more" and inserting ", with the intent to conceal the commission of a crime, other than a violation of this subsection"; in line 16, after "(b)" by inserting "(1)"; also in line 16, after the second "to" by inserting "promptly";

Also on page 1, in line 17, by striking all after "child"; in line 18, by striking "amendments thereto"; and inserting "to a law enforcement officer, law enforcement agency or state investigative agency, with the intent to conceal the commission of a crime, other than a violation of this subsection"; in line 19, by striking "(1)" and inserting "(A)"; in line 20, by striking "(2)" and inserting "(B)"; following line 22, by inserting:

"(2) The provisions of this subsection shall not apply when the child's death has been reported by another person or is otherwise known by a law enforcement agency or state investigative agency.";

Also on page 1, in line 26, after "(1)" by inserting "(A)"; in line 27, by striking "(2)" and inserting "(1)(B)"; in line 29, by striking "has" and inserting "had"; in line 30, after "disappearance" by inserting "or death";

On page 2, in line 2, after "officer" by inserting ", law enforcement agency"; in line 7, after "officer" by inserting ", law enforcement agency"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2106** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2106," as follows:

"Substitute for HOUSE BILL NO. 2106

By Committee on Judiciary

"AN ACT concerning real property; relating to trespass and liability; exceptions."; and the substitute bill be passed.

(Sub **HB 2106** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2533** be amended on page 1, in line 17, by striking "(A)"; in line 30, after "employee" by inserting ", contractor"; in line 31, by striking ", including, but not limited to:" and inserting "who works in a position of authority over a child in an official capacity, if such child is a student enrolled in and attending, or participating in a program or event at such educational institution. For purposes of this paragraph, "educational institution" includes, but is not limited to:";

On page 2, in line 2, by striking "secretary of health and environment or"; in line 3, by striking "the secretary of social and rehabilitation services" and inserting "state of Kansas"; in line 12, by striking "employed by or who" and inserting "who works in a position of authority over a child in an official capacity and is employed by or"; in line 16, after "maintenance" by inserting ", if such children or pregnant teenagers are receiving such services from the organization"; by striking all in lines 17 through 18 and inserting "(7) any person who works in a position of authority over a child in an official capacity and is employed by or works as a volunteer for a recognized church or religious organization, if such child, child's parent or other person having lawful custody or child's siblings are members of or attend services or events at such church or religious organization; and"; in line 20, after "thereto," by inserting "of any municipality, as defined by K.S.A. 75-6102, and amendments thereto, or"; also in line 20, by striking "minors" and inserting "children";

On page 3, in line 21, by striking "another person made a report" and inserting "a person believes another person made a report, unless such report had in fact been made,";

Also on page 3, following line 41, by inserting:

"(I) (1) Nothing in this section shall require a duly ordained minister of religion, as defined by K.S.A. 60-429, and amendments thereto, to make a report under this section if the report would disclose any penitential communication under the protection of privilege pursuant to K.S.A. 60-429, and amendments thereto.

(2) Nothing in this section shall require a report to be made under this section if the report would:

(A) Disclose any communication under the protection of lawyer-client privilege pursuant to K.S.A. 60-426, and amendments thereto;

(B) disclose any matter communicated in confidence by a client to such client's lawyer; or

(C) violate any constitutional right of assistance to counsel."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2647** be amended on page 1, in line 17, by striking "or" and inserting "and"; in line 21, by striking "or" and inserting "and";

On page 2, in line 5, after "(B)" by inserting "if there is no newspaper of general circulation in the jurisdiction where the sale is to be held,"; by striking all in lines 31 through 37;

And by redesignating subsections accordingly;

On page 3, following line 3, by inserting "Notices shall be deemed delivered when deposited with the United States postal service, properly addressed as provided in subsection (b), with postage prepaid."; in line 5, by striking "controlling interest in or"; in line 6, by striking "or occupant"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2760, AN ACT making and concerning appropriations for fiscal years ending

June 30, 2012, June 30, 2013, and June 30, 2014 for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections, by Committee on Appropriations.

HB 2761, AN ACT concerning the Kansas department of agriculture; relating to changes due to the establishment of the division of animal health, the agriculture marketing and promotions program and the division of conservation; amending K.S.A. 2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-4002, 74-4003, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-567, 74-50,156, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-50,161 and K.S.A. 2011 Supp. 2-1932, 47-1307, 74-50,157, 74-50,158, 74-50,159, 74-50,160 and 74-50,162, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2397** from Committee on Education Budget and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2531, **HB 2593** reported correctly engrossed February 20, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6004 reported correctly enrolled and properly signed on February 20, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, February 21, 2012.

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 21, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. C. Holmes was excused on legislative business.

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

Rep. Grange was excused later in the day on excused absence by the Speaker.

Present later: Rep. C. Holmes.

Prayer by guest chaplain, Father Tim Haberkorn, Sacred Heart-St. Joseph Parrish, Topeka, and guest of Rep. Rubin:

Eternal God, we ask you to send your Spirit to us today as we are called upon to be your public servants. We are evermindful of your Divine Providence and assistance. As you have called us to be leaders, grant us the spiritual gifts of wisdom, knowledge, courage and understanding so as to serve your people to the best of our ability. In accepting the responsibility that your people have called us to this day, may all that we say and do reflect your awesome glory. With your help and strength, we can accomplish great things. May all those we serve benefit from our hard work and endeavors. We ask all these things in faith. Amen

The Pledge of Allegiance was led by Rep. Billinger.

Kansas Trivia – Born in Wichita this woman served as the 48th United States Secretary of the Interior and was the first woman to hold this position. Who was this woman?

Answer: Gale Norton

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Kelly and McCray-Miller are spread upon the Journal:

It is a pleasure for Rep. McCray-Miller and me to have Henry Williams from Independence with us this morning. Rep. McCray-Miller is a friend of Henry's sister in Wichita and I first became acquainted with Henry a little over 10 years ago when Henry

paid daily visits to the Assisted Living Center my mother lived in. You could tell that Henry was a special caring person with the desire to make each day just a little better for someone else. Henry certainly accomplished this for my mother who looked forward to his visits.

Henry has a love for boxing and was an active boxer during his military career. In 2000, after winning the Southeast Kansas Community Action Program Personal Responsibility and Achievement Award, Henry decided to use his love for boxing to give back to his community, especially the youth, by establishing the Uppercut Boxing Club and Tutoring center. Henry, through this club, has dedicated himself to focusing on the enabling of youth to build self-esteem, avoid delinquency and improve their ability to succeed in both school and life.

Through grants and assistance from the Kansas Health Foundation, SEK-CAP and many others Henry's program has grown in prominence and it gained national recognition in the Fall of 2011 when Henry was selected from over 1,100 Community Action Programs around the United States to be the 2011 recipient of the prestigious Sargent Shriver Annual Achievement Award at the Community Action Program annual convention in San Francisco.

It is now a special honor to recognize Henry Williams, from Independence, for his accomplishments and the Uppercut Boxing Club for its dedicated service to the youth of Independence and Southeast Kansas.

Reps. Kelly and McCray-Miller presented Mr. Williams with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2762, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; postretirement benefit payments; amending K.S.A. 2011 Supp. 74-4920 and repealing the existing section, by Committee on Appropriations.

HB 2763, AN ACT concerning taxation; enacting the Kansas economic freedom act of 2014; eliminating income and sales taxes; imposing a consumption tax; providing certain duties and requirements on retailers and providers and the department of revenue; exemptions; consumption allowance; creating the consumption tax transition committee; amending K.S.A. 2011 Supp. 79-3702 and repealing the existing section; also repealing K.S.A. 79-3294, 79-3294a and 79-3294b and K.S.A. 2011 Supp. 79-1107, 79-1108, 79-3295, 79-3296, 79-3298, 79-3299, 79-32,100, 79-32,100a, 79-32,100b, 79-32,100c, 79-32,100d, 79-32,100e, 79-32,110 and 79-3603, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 316, HB 2761.**

Agriculture and Natural Resources Budget: **HB 2758.**

Appropriations: **HB 2760.**

Corrections and Juvenile Justice: **SB 305, SB 325.**

Elections: **SB 102**.
Federal and State Affairs: **SB 299, HB 2759**.
Health and Human Services: **SB 324, SB 331**.
Judiciary: **SB 281**.
Taxation: **SB 348**.

CONSENT CALENDAR

No objection was made to **HB 2708** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2708, AN ACT concerning renewable energy resources; amending K.S.A. 2011 Supp. 66-1257 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed.

HB 2432, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the ducks unlimited license plate, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 16; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin,

Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brown, Bruchman, Donohoe, Garber, Gregory, Grosserode, Hildabrand, Kinzer, Meigs, O'Hara, Ryckman, Scapa, Slattery, Sloan, Tyson.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed.

HB 2464, AN ACT concerning criminal procedure; relating to discovery; certain visual depictions; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed, as amended.

HB 2468, AN ACT concerning criminal procedure; relating to discovery and production requirements of defense attorneys; amending K.S.A. 2011 Supp. 22-3212 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin,

Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kuether, Lane.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed, as amended.

HB 2473, AN ACT concerning civil procedure; relating to pleadings and discovery; amending K.S.A. 2011 Supp. 60-208 and 60-226 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed, as amended.

HB 2569, AN ACT concerning public records; relating to legislative review of exceptions to disclosure; amending K.S.A. 2011 Supp. 45-229 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl,

Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed.

HB 2612, AN ACT designating a portion of Kansas highway 79 as the Barnes brothers memorial highway, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 17; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, Denning, Donohoe, D. Gatewood, Gregory, Grosserode, Hildabrand, Kiegerl, Kinzer, Landwehr, Meigs, Montgomery, O'Hara, Ryckman, Scapa, Suellentrop.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2612** was brought to the House by the 8th Grade, Kansas History Class students of Royal Valley Middle School in Mayetta, Kansas. The students chose to memorialize Jackson County natives Jesse and Virgil Barnes, who were both professional baseball players and World War II veterans. The students did a good job researching the brothers, drafting the bill and enlisting the support of the Circleville City Council. I am pleased to support these students and their initiative. I vote AYE on **HB 2612**. – TRENT LEDOUX

HB 2613, AN ACT concerning crimes, criminal procedure and punishment; relating to protective orders; relating to permanent orders; amending K.S.A. 2011 Supp. 21-5924, 60-3104, 60-3107, 60-31a04 and 60-31a06 and repealing the existing sections; also repealing K.S.A. 60-3111, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The bill passed, as amended.

HCR 5032, commending the positive approach and best practices of the Crisis Intervention Team program and encouraging the development of active crisis intervention team programs statewide, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: C. Holmes, McLeland.

The resolution was adopted, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Hayzlett in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2416, HB 2520; SB 289; HB 2414** be passed.

Committee report to **HB 2631** be adopted; and the bill be passed as amended.

Committee report to **HB 2517** be adopted; and the bill be passed as amended.

On motion to recommend **HB 2551** favorably for passage, the motion did not prevail.

Committee report to **HB 2485** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2558** be amended on page 4, following line 37, by inserting:

"(5) A determination by the director as to the legal sufficiency of the affidavit for recusal submitted above shall be appealable to the courts of appeal under the provisions of K.S.A. 44-556, and amendments thereto.";

On page 5, following line 24, by inserting:

"Sec. 4. K.S.A. 2011 Supp. 44-532a is hereby amended to read as follows: 44-532a.

(a) If an employer has no insurance to secure the payment of compensation or has insufficiently funded a self-insurance bond, or has insufficiently funded a letter of credit as provided in subsection (b)(1) and (2) of K.S.A. 44-532, and amendments thereto, and such employer is financially unable to pay compensation to an injured worker as required by the workers compensation act, or such employer cannot be located and required to pay such compensation, the injured worker may apply to the director for an award of the compensation benefits, including medical compensation, to which such injured worker is entitled, to be paid from the workers compensation fund. Whenever a worker files an application under this section, the matter shall be assigned to an administrative law judge for hearing. If the administrative law judge is satisfied as to the existence of the conditions prescribed by this section, the administrative law judge may make an award, or modify an existing award, and prescribe the payments to be made from the workers compensation fund as provided in K.S.A. 44-569, and amendments thereto. The award shall be certified to the commissioner of insurance, and upon receipt thereof, the commissioner of insurance shall cause payment to be made to the worker in accordance therewith.

(b) The commissioner of insurance, acting as administrator of the workers compensation fund, shall have a cause of action against the employer for recovery of any amounts paid from the workers compensation fund pursuant to this section. Such action shall be filed in the district court of the county in which the accident occurred or where the contract of employment was entered into.";

And by renumbering sections accordingly;

Also on page 5, by striking all in line 43;

On page 6, by striking all in lines 1 through 3;

And by redesignating subsections accordingly;

On page 10, in line 8, after "44-523," by inserting "44-532a,";

On page 1, in the title, in line 6, after "44-523," by inserting "44-532a,"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2427** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2427," as follows:

"Substitute for HOUSE BILL NO. 2427

By Committee on Corrections and Juvenile Justice

"AN ACT concerning the Kansas open records act; relating to information concerning law enforcement officers; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2427** was thereupon introduced and read by title.)

Committee on **Government Efficiency** recommends **HB 2673**, **HB 2705** be passed.

Committee on **Government Efficiency** recommends **HB 2675** be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 79-408 is hereby amended to read as follows: 79-408. The county clerk shall ~~complete~~ maintain all real estate assessment rolls that may be required for the assessment districts of the county. Such assessment rolls shall contain a correct and pertinent description of each piece, parcel or lot of real property in numerical order as to lots and blocks, sections or subdivisions, in the respective townships or cities, as the case may be. In making up such assessment rolls, the county clerk shall consult the real estate transfer record in the office of the clerk, ~~and~~ the records and plats in the office of the register of deeds, ~~reports from United States land offices, and may require the owner or occupant of a particular property to furnish a proper description thereof. In making such rolls the county clerk shall deduct the acreage of all lands used for railway right of way or interurban railway right of way. After the county clerk has completed such rolls, the clerk shall deliver them to the county appraiser no later than December 15. All such rolls and descriptions may be maintained electronically, as the county may find necessary and proper.~~";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "Repealing K.S.A. 79-408;"; in line 2, after "appraisers" by inserting "; amending K.S.A. 79-408 and repealing the existing section"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2618** be passed.

Committee on **Local Government** recommends **HB 2646** (Corrected) be amended on page 1, in line 16, by striking "three" and inserting "two"; also in line 16 by striking "has" and inserting "have"; in line 17, by striking all after "on" and inserting "surrounding properties. "Commercial real estate" means any real estate for which the present use is other than one to four residential units or for agricultural purposes.

(d) "Blighting influence" means conditions in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents of the municipality or which have an adverse impact on properties in the area. Such conditions may include, but are not limited to, the following: Defects increasing the hazards of fire, accident, or other calamities; air pollution; light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; dead and dying trees, limbs or other unsightly natural growth or unsightly appearances that constitute a blight to adjoining property, the neighborhood or the city; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any

violation of health, fire, building or zoning regulations.";

And by redesignating subsections accordingly; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2764, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2011 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2765, AN ACT concerning the state directory of new hires; relating to information submitted by employers; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2696** from Committee on Social Services Budget and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6013**—

By Representatives Wetta, Moxley, Dillmore, Finney, Flaharty, Lane, Meier, O'Neal and Pottorff

A RESOLUTION to create the Kansan-Turkish Friendship Network.

WHEREAS, The Republic of Turkey is a democratic, secular, unitary, constitutional republic; and

WHEREAS, The Republic of Turkey and the United States of America are long-standing allies, both clearly cherishing the universal values of freedom, democracy and human rights; and

WHEREAS, In its alliances with the United States, the Republic of Turkey has demonstrated its commitment to world peace and liberty, as well as its tolerance of others in the secular and religious venues; and

WHEREAS, The Republic of Turkey has a very diverse culture that is a blend of various elements of the Oğuz Turkic, Anatolian, Ottoman and western culture and traditions, which started with the westernization of the Ottoman State and still continues today; and

WHEREAS, The Republic of Turkey was a founding member of the United Nations; and

WHEREAS, The Republic of Turkey is known worldwide for its architecture and archaeological riches; and

WHEREAS, The Republic of Turkey has one of the world's fastest growing economies, and is the world's fifteenth largest economy and Europe's sixth largest economy, and is to be commended on its contributions to the global economy; and

WHEREAS, It is in the best interest of the state of Kansas to further cultivate the

good relationship between Kansas and the Republic of Turkey; and

WHEREAS, It is beneficial to recognize the contributions of our allies and the value of maintaining beneficial relationships with allies of the state of Kansas, such as the contributions made by the Republic of Turkey and the value of our positive relationship with this ally: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That in pursuit of this noble goal, we would like to create the Kansan-Turkish Friendship Network. The purpose of this bipartisan leadership network is to focus on Kansan-Turkish relations and issues that concern Turkish Americans in Kansas, as well as promote the cultural, educational, academic, political and economic relations between Kansans and the Turkish people by coordinating hospitality, cultural and educational events and exchanges to facilitate and strengthen the development of those relationships.

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Wetta and Representative Moxley.

On motion of Rep. Siegfreid, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

CHANGE OF REFERENCE

Speaker pro tem Vickrey announced the withdrawal of **HB 2397** from Committee on Appropriations and rereferral to Committee on Education Budget.

On motion of Rep. Siegfreid, the House resolved into the Committee of the Whole, with Rep. Hayzlett in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2429**, **HB 2494** be passed.

Sub. HB 2166 be passed over and retain a place on the Calendar.

Committee report to **HB 2444** be adopted; and the bill be passed as amended.

Committee report to **HB 2563** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2295** be adopted; also, on motion of Rep. Meier, be amended on page 4, following line 35, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 32-988 is hereby amended to read as follows: 32-988.

(a) The secretary is authorized to adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations fixing the amount of fees for the following items, subject to the following limitations and subject to the requirement that no such rules and regulations shall be adopted as temporary rules and regulations:

Big game permits

Resident (other than elk permit): maximum \$100

Nonresident (other than elk permit): maximum \$400

- Elk permit: maximum \$350
- Nonresident mule deer stamp: maximum \$150
- Nonresident applications: maximum \$25
- Combination hunting and fishing licenses
 - Resident: maximum \$50
 - Lifetime: maximum \$1,000; or 8 quarterly payments, each maximum \$150
 - Nonresident: maximum \$200
- Commercial dog training permits: maximum \$25
- Commercial guide permit or associate guide permit
 - Resident: maximum \$250
 - Nonresident: maximum \$1,000
- Commercial harvest or dealer permits: maximum \$200
- Commercial prairie rattlesnake harvesting permits
 - Resident or nonresident with valid hunting license: maximum \$5
 - Resident or nonresident nonfirearm without valid hunting license: maximum \$20
- Controlled shooting area operator license: maximum \$400
- Duplicate licenses, permits, stamps and other issues of the department: maximum \$10
- Falconry
 - Permits: maximum \$300
 - Examinations: maximum \$100
- Field trial permits: maximum \$25
- Fishing licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident: maximum \$75
 - Five-day nonresident: maximum \$25
 - Institutional group: maximum \$200
 - Special nonprofit group: maximum \$200
 - Twenty-four-hour: maximum \$10
- Fur dealer licenses
 - Resident: maximum \$200
 - Nonresident: maximum \$400
- Furharvester licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident: maximum \$400
- Game breeder permits: maximum \$15
- Handicapped hunting and fishing permits: maximum \$5
- Hound trainer-breeder running permits: maximum \$25
- Hunting licenses
 - Resident: maximum \$25
 - Lifetime: maximum \$500; or 8 quarterly payments, each maximum \$75
 - Nonresident 16 or more years of age: maximum \$125
 - Nonresident under 16 years of age: maximum \$75
 - Controlled shooting area: maximum \$25
 - Forty-eight-hour waterfowl permits: maximum \$25
- Migratory waterfowl habitat stamps: maximum \$8

Mussel fishing licenses

Resident: maximum \$200

Nonresident: maximum \$1,500

Rabbit permits

Live trapping: maximum \$200

Shipping: maximum \$400

Raptor propagation permits: maximum \$100

Rehabilitation permits: maximum \$50

Scientific, educational or exhibition permits: maximum \$10

Wildlife damage control permits: maximum \$10

Wildlife importation permits: maximum \$10

Wild turkey permits

Resident: maximum \$100

Nonresident: maximum \$400

Resident turkey tag: maximum \$20

Nonresident turkey tag: maximum \$30

Special permits under K.S.A. 32-961: maximum \$100

Miscellaneous fees

Special events on department land or water: maximum \$200

Special departmental services, materials or supplies: no maximum

Other issues of department: no maximum

Vendor bond: no maximum

(b) (1) The fee for a landowner-tenant resident big game or wild turkey hunting permit shall be an amount equal to ½ the fee for a general resident big game or wild turkey hunting permit.

(2) The secretary shall verify proof of ownership or tenancy of no less than 25% of all such landowner-tenant resident big game or wild turkey hunting permit applicants in each calendar year. Failure of such applicant to provide such proof as required by the secretary shall be a violation of K.S.A. 32-1032, and amendments thereto.

(c) The fee for a big game or wild turkey hunting permit for a resident under 16 years of age shall be an amount equal to ½ the fee for a general resident big game or wild turkey hunting permit.

(d) The fee for a furharvester license for a resident under 16 years of age shall be an amount equal to ½ the fee for a resident furharvester license.

(e) The secretary may establish, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, different fees for various classes and types of licenses, permits, stamps and other issuances of the department which may occur within each item as described under subsection (a).";

And by renumbering sections accordingly;

Also on page 4, in line 36, after "32-937" by striking "is" and inserting "and 32-988 are";

On page 1, in the title, in line 1, after "32-937" by inserting "and 32-988"; in line 1, by striking "section"; and inserting "sections";

Also, on motion of Rep. Arpke, **Sub HB 2295** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 32-932 is hereby amended to read as follows: 32-932. (a) Any person ~~having a permanent disability to the extent that such person cannot~~

~~physically use a conventional long bow or compound bow, as certified by a person licensed to practice the healing arts in any state,~~ shall be authorized to hunt and take deer, antelope, elk or wild turkey with a crossbow.

(b) The secretary of wildlife and parks shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations requiring permits to hunt deer, antelope, elk or wild turkey pursuant to subsection (a) and providing for the approval of applicants for such permits and the issuance thereof. In addition, the secretary may adopt rules and regulations limiting the times and areas for hunting and taking deer, antelope, elk and wild turkey and limiting the number of deer, antelope, elk and wild turkey which may be taken pursuant to subsection (a).

(c) Falsely obtaining or using a permit authorized by this section is a class C misdemeanor.";

On page 4, following line 35, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 32-1002 is hereby amended to read as follows: 32-1002. (a) Unless and except as permitted by law or rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, it is unlawful for any person to:

- (1) Hunt, fish, furharvest or take any wildlife in this state by any means or manner;
- (2) possess any wildlife, dead or alive, at any time or in any number, in this state;
- (3) purchase, sell, exchange, ship or offer for sale, exchange or shipment any wildlife in this state;
- (4) take any wildlife in this state for sale, exchange or other commercial purposes;
- (5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish spear, fish trap or other device, contrivance or material for the purpose of taking wildlife; or
- (6) take or use, at any time or in any manner, any game bird, game animal, coyote or furbearing animal, whether pen-raised or wild, in any field trial or for training dogs.

(b) The provisions of subsections (a)(2) and (a)(3) do not apply to animals sold in surplus property disposal sales of department exhibit herds or animals legally taken outside this state, except the provisions of subsection (a)(3) shall apply to:

- (1) The meat of game animals legally taken outside this state; and
- (2) other restrictions as provided by rule and regulation of the secretary.

(c) The provisions of this section shall not be construed to prevent:

- (1) Any person from taking starlings or English and European sparrows;
- (2) owners or legal occupants of land from killing any animals when found in or near buildings on their premises or when destroying property, subject to the following:
 - (A) The provisions of all federal laws and regulations governing protected species and the provisions of K.S.A. 32-957 through 32-963, and amendments thereto, and rules and regulations adopted thereunder;
 - (B) it is unlawful to use, or possess with intent to use, any such animal so killed unless authorized by rules and regulations of the secretary;
 - (C) such owners or legal occupants shall make reasonable efforts to alleviate their problems with any such animals before killing them;

(3) any person who is licensed under the personal and family protection act, K.S.A. 75-7c01 *et seq.*, and amendments thereto, from exercising the right to carry a concealed handgun while lawfully hunting, fishing or furharvesting; ~~or~~

(4) any person who lawfully possesses a device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm from using such device or attachment in conjunction with lawful hunting, fishing or furharvesting; or

(5) any person who has been issued a big game permit pursuant to K.S.A. 32-937, and amendments thereto, from using a crossbow during an archery big game season for which such permit is valid.

(d) Any person convicted of violating provisions of this section shall be subject to the penalties prescribed in K.S.A. 32-1031, and amendments thereto, except as provided in K.S.A. 32-1032, and amendments thereto, relating to big game and wild turkey.";
And by renumbering sections accordingly;

Also on page 4, in line 36, after "Supp." by inserting "32-932,"; also in line 36, after "32-937" by inserting "and 32-1002"; also in line 36, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "Supp." by inserting "32-932,"; in line 1, after "32-937" by inserting "and 32-1002"; in line 1, by striking "section"; and inserting "sections"; and **Sub HB 2295** be passed as amended.

Committee report to **HB 2465** be adopted; and the bill be passed as amended.

Roll call was demanded on motion of Rep. Ward to amend **HB 2548** on page 1, following line 13, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local *ad valorem* tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local *ad valorem* tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local *ad valorem* tax reduction fund during state fiscal years 2009, 2010, 2011 ~~and~~, 2012, ~~and 2013~~, and (2) the amount of the transfer on each such date shall be ~~\$13,500,000~~ ~~\$22,500,000~~ during fiscal year ~~2014~~ ~~2013~~, ~~\$20,250,000~~ ~~and \$22,500,000 during fiscal year 2015~~, and ~~\$27,000,000 during fiscal year 2016~~ and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year 2014 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.";

And by renumbering sections accordingly;

Also on page 1, in line 14, after "79-2102" by inserting "and K.S.A. 2011 Supp. 79-2959";

On page 1, in the title, in line 1, after "to" by inserting "the local *ad valorem* tax

reduction fund;"; in line 3, after "and" by inserting "K.S.A. 2011 Supp. 79-2959 and"; in line 3, by striking "section" and inserting "sections";

On roll call, the vote was: Yeas 41; Nays 76; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Boman, Burroughs, Calloway, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henry, Hildabrand, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Otto, Patton, Pauls, Peck, Phelps, Ruiz, Slattery, Sloan, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gregory, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, B. Wolf, K. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Gordon, Grange, Grosserode, Henderson, Landwehr, McLeland, Peterson.

The motion of Rep. Ward did not prevail; and **HB 2548** be passed.

Committee report recommending a substitute bill to **Sub HB 2555** be adopted; and the substitute bill be passed.

On motion of Rep. Otto to amend **HB 2660**, the motion did not prevail and the bill be passed.

Committee report recommending a substitute bill to **Sub HB 2659** be adopted; and the substitute bill be passed.

Committee report to **HB 2568** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long-term Care** recommends **HB 2619** be passed.

Committee on **Education** recommends **HB 2718** be amended on page 1, in line 27, by striking "computed" and inserting "adopted"; and the bill be passed as amended.

Committee on **Education Budget** recommends **HB 2652** be amended on page 1, in the title, in line 1, by striking "tuition" and inserting "requirements for resident fee purposes"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2715** be amended on page 1, in line 28, by striking "odd-numbered" and inserting "election";

On page 2, in line 29, by striking "odd-numbered" and inserting "election"; and the bill be passed as amended.

Committee on **Government Efficiency** recommends **HB 2650** be amended on page 1, in line 12, after "1." by inserting "(a)";

Also on page 1, following line 28, by inserting:

"(b) All rules and regulations, orders and directives of the secretary of administration, the department of administration, the director of information systems and communications, or the division of information systems and communications which

relate to the powers, duties and functions transferred from the director of information systems and communications and the division of information systems and communications of the department of administration to the executive chief information technology officer and office of information technology services by this act and which are in effect on the effective date of this act shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the executive chief information technology officer and office of information technology services until revised, amended, revoked or nullified pursuant to law.";

On page 5, in line 26, by striking "initially by the"; in line 27, by striking "president of Kansas, Inc. and thereafter";

On page 8, in line 26, by striking all after the period; by striking all in lines 27 and 28; in line 29, by striking "communications."; also in line 29, by striking "computing" and inserting "communications"; in line 30, by striking "computing" and inserting "communications";

On page 9, in line 6, by striking "computing" and inserting "communications"; in line 7, by striking "computing" and inserting "communications"; in line 13, by striking "computing" and inserting "communications"; in line 14, by striking "computing" and inserting "communications"; also in line 14, by striking all after "to"; in line 15, by striking all before the period and inserting "the effective date of this act"; in line 19, by striking "computing" and inserting "communications"; in line 20, by striking "computing" and inserting "communications"; in line 21, by striking "July 1, 1984" and inserting "the effective date of this act"; in line 23, by striking "or" and inserting a comma; in line 24, after "communications" by inserting ", or the director of information systems and communications,."; in line 31, by striking "computing" and inserting "communications";

On page 10, in line 1, by striking "this act,."; in line 2, after "act" by inserting "or the act of which this section is amendatory"; in line 6, after "act" by inserting ", or the act of which this section is amendatory"; in line 9, after "act" by inserting ", or the act of which this section is amendatory"; in line 13, after "act" by inserting ", or the act of which this section is amendatory";

On page 13, in line 39, by striking "July 1, 2012, shall on or after July 1, 2012, be made," and inserting "the effective date of this act, shall be";

On page 17, in line 14, by striking "representative" and inserting "representatives"; in line 15, by striking "representative" and inserting "representatives"; also in line 15, by striking "representatives" and inserting "representative";

On page 18, in line 22, by striking "technology information" and inserting "information technology";

On page 21, in line 22, by striking "secretary of"; in line 23, by striking "administration" and inserting "executive chief information technology officer"; in line 25, by striking "secretary of"; in line 26, by striking "administration" and inserting "executive chief information technology officer"; in line 33, by striking "secretary of administration" and inserting "executive chief information technology officer";

On page 22, in line 32, by striking "K.K.S.A." and inserting "K.S.A."; in line 39, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 2, by striking "renaming" and inserting "transferring certain powers, duties and functions of the director of information systems and communications,."; in line 3, after "communications" by inserting "and the secretary of

administration to the executive chief information technology officer and the office of information technology services"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2629** be amended on page 1, in line 7, before the first "A" by inserting "(a)"; in line 9, by striking "either that: (a)" and inserting "that:"; in line 21, by striking "; or" and inserting a period; by striking all in lines 22 through 26 and inserting "(b) (1) Except as provided in subsection (b)(2), a retail seller of used products shall not be subject to liability in a product liability claim arising from an alleged defect in a product if the product seller establishes that such seller resold the product after the product was used by a consumer or other product user and the product was sold in substantially the same condition as it was when it was acquired for resale.

(2) The provisions of subsection (b)(1) shall not apply to a claim arising out of intentional misrepresentation, an alleged breach of express warranty, as defined by K.S.A. 84-2-313, and amendments thereto, an alleged breach of implied warranty, as defined by K.S.A. 84-2-314, and amendments thereto, or intentional concealment or intentional nondisclosure of a condition known to such seller."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2655** be amended on page 1, by striking all in lines 30 through 35 and inserting "(5) knowingly or intentionally in an official criminal proceeding or investigation:

(A) Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document or thing;

(B) withholding or unreasonably delaying in producing any testimony, information, document or thing after a court orders the production of such testimony, information, document or thing;

(C) altering, damaging, removing or destroying any record, document or thing, with the intent to prevent it from being produced or used as evidence; or

(D) making, presenting or using a false record, document or thing with the intent that the record, document or thing, material to such official criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master or law enforcement officer; or"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2431** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2431," as follows:

"Substitute for HOUSE BILL NO. 2431

By Committee on Transportation

"AN ACT concerning distinctive license plates; amending K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2431** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2464, **HB 2468**, **HB 2613** reported correctly engrossed February 20, 2012.

Also, **HB 2473** reported correctly engrossed February 21, 2012.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5032 reported correctly engrossed February 21, 2012.

REPORT ON ENROLLED RESOLUTIONS

HCR 5016 reported correctly enrolled, properly signed on February 21, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Wednesday, February 22, 2012.

Journal of the House

THIRTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 22, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Reps. Grange and McLeland were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of compassion and justice,
(78-68 Thank You!)
In all seriousness, on this Ash Wednesday,
I pray for these leaders and the great people of Kansas
of whom they represent.

When we take the work of others for granted—
please forgive us.

When we diminish the value of human life—
please forgive us.

When we fail to treat all people with the respect which they deserve—
please forgive us.

When we forget our need of one another—
please forgive us.

When we forget the needs of the poor among us—
please forgive us

When our own desire for status or security dulls our senses,
closes our ears, and blinds our sight—
please forgive us.

Gift us with vision to see the world around us with new eyes;
to recognize the light of Your presence in every person;
to discern Godly wisdom in the midst of hard human choices;

Give us courage, I pray,
to stand alongside those in greatest need;
to challenge easy solutions and false assumptions;
to work in partnership with others
where we can make a difference together.

Today as we face the truth
that we are made of dust and to dust we shall return,
remind us of the common humanity that we share;

rekindle Your compassion in our hearts;
reinforce our resolve to seek Your wisdom
 in the responsibilities we hold
 and the choices that we make.
 Please be with Representative Grange and his family
 in the passing of his father-in-law.
 Bring comfort, grace and strength to them in the days ahead.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hermanson.

Kansas Trivia Question – Englishman George Grant was once the biggest landholder in the United States. In 1873 he bought 70,000 acres of land in what Kansas county?
 Answer: Ellis

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kinzer are spread upon the Journal:

On behalf of the Olathe delegation, I wish to congratulate the Olathe South High School Football Team, the 2011 Kansas 6A State Champions.

The team motto was, "Taking ourselves to another level."

They had a 12-1 record including playoff wins over Lawrence, Shawnee Mission East, Olathe East and a thrilling 41-37 victory over defending state champions Wichita Heights in the championship game. It was their fourth championship appearance and first win.

Some of the team members present are: Scott Gourley, center and senior captain, who is headed to the Air force Academy; Jared Douglas, a senior captain, headed to William Jewel; Greg Fry, with 89 tackles, 3 interceptions, headed to Benedictine; Taylor Sheffield, a senior captain, with the biggest fumble recovery in Olathe South history on the one yard line in the fourth quarter; Zach Sheffield, a huge inspiration to all his teammates after he ruptured his kidney defending a deep throw against Shawnee Mission East; Remington Whitley, a junior, with 154 tackles; Matt Elliot, with over 500 yards receiving, 400 yards rushing, and a huge fourth and long reception on the final drive of the championship game; Frankie Seure, a junior quarterback who threw for 1,600 yards and a 99-yard touchdown pass in the championship game; and Head Coach Jeff Gourley, the Kansas City Star Metro Coach of the Year.

Coach Gourley was quoted as saying, "Do I feel confident? Absolutely, because we are the best team in this tournament bar none." That confidence and leadership filtered down to every player in the program.

Rep. Kinzer presented a framed House certificate to Coach Gourley.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2766, AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the

creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 73-2502, 73-2504, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce and Economic Development: **HB 2765**.

Insurance: **HB 2764**.

Pensions and Benefits: **HB 2762**.

Taxation: **HB 2763**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2457**, **HB 2573**, **HB 2633** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, withdrawal of **HB 2645** from Committee on Education and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2696** from Committee on Appropriations and rereferral to Committee on Social Services Budget.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2295, AN ACT concerning wildlife, parks and tourism; relating to crossbows; relating to deer hunting; amending K.S.A. 2011 Supp. 32-932, 32-937 and 32-1002 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Billinger, Bowers, Burgess, Carlin, Dillmore, Feuerborn, D. Gatewood, S. Gatewood, Grant, Kelley, Kiegerl, Kinzer, Mah, Mast, McCray-Miller, Moxley, Peck, Peterson, Schroeder, Shultz, Sloan, Swanson.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR SPEAKER: When I left the chamber last evening I was undecided on **Sub HB 2295**. I have a friend who keeps me informed of changes regarding bow hunting in Kansas. Call it chance, divine intervention, or dumb luck but as I was driving home my truck violently introduced itself to a deer crossing the road. My truck did not fare well but much better than the doe. The deputy working the accident said it was the second deer accident he worked that night. He described a growing problem with deer accidents. So I apologize to my bow hunting friend. I vote yes on **Sub HB 2295**.—ANTHONY BROWN

HB 2414, AN ACT concerning the division of post audit; amending K.S.A. 2011 Supp. 46-1118 and 46-1121 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 21; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Gordon, Gregory, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Landwehr, LeDoux, Mah, Mast, McCray-Miller, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Victors, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Feuerborn, D. Gatewood, S. Gatewood, Goodman, Grant, Grosserode, Henderson, Kuether, Lane, Loganbill, Meier, Otto, Peterson, Phelps, Ruiz, Tietze, Trimmer, Tyson, Ward, Winn.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

HB 2416, AN ACT concerning the division of health care finance of the department of health and environment; relating to updating references and corresponding changes due to transfer of powers and duties from the Kansas health policy authority; amending K.S.A. 22-4612 and K.S.A. 2011 Supp. 2-224a, 38-2001, 38-2006, 39-760, 39-7,116, 39-7,118, 39-7,119, 39-7,120, 39-7,121, 39-7,121a, 39-7,121d, 39-7,121e, 39-7,159, 39-968, 40-2134, 40-2136, 40-2251, 40-2252, 40-4702, 40-4706, 46-3501, 65-435a, 65-1685, 65-6801, 65-6803, 65-6804, 65-6805, 65-6806, 65-6807, 65-6809, 65-7405, 75-37,121, 75-5601, 75-6102, 75-7403, 75-7404, 75-7405, 75-7408, 75-7409, 75-7410, 75-7411, 75-7412, 75-7413, 75-7423, 75-7424, 75-7425, 75-7426, 75-7427, 75-7429, 75-7430, 75-7433, 75-7435, 75-7436 and 77-421 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7401, 75-7402, 75-7414, 75-7415, 75-7416, 75-7417, 75-7418, 75-7419, 75-7420, 75-7421, 75-7422 and 75-7428, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Goodman, Ward.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

HB 2429, AN ACT concerning state educational institutions; relating to the state educational institution project delivery construction procurement act and expiration thereof; amending K.S.A. 2011 Supp. 76-7,125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

HB 2444, AN ACT concerning schools and school districts; relating to seclusion and restraint of pupils, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 41; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bollier, Brown, Brunk, Burgess, Burroughs, Calloway, Carlin, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Finney, Frownfelter, S. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Hayzlett, Henderson, Henry, Hermanson, Hoffman, C. Holmes, M. Holmes, Huebert, Kelley, Kiegerl, Kinzer, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Montgomery, O'Neal, Osterman, Patton, Pauls, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Scapa, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Tietze, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Carlson, Cassidy, Collins, Denning, Fawcett, Feuerborn, Flaharty, Garber, D. Gatewood, Goodman, Grosserode, Hedke, Hildabrand, Hill, Hineman, Howell, Johnson, Kelly, Kerschen, Knox, LeDoux, Meigs, Moxley, O'Brien, O'Hara, Otto, Peck, Roth, Ryckman, Schwab, Schwartz, Smith, Swanson, Trimmer, Tyson.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR SPEAKER: I vote no on **HB 2444**. I do care about control in the classroom. I care about the health and safety of teachers and students who come to school to teach or learn and not be hurt by a child who is not allowed to be disciplined. I support local control and this IS an unfunded mandate. Local schools will pay for this bill not the state.—BILL OTTO, VIRGIL PECK, JR.

MR SPEAKER: I vote to have my constituents protected from practices such as seclusion and restraint that should only be used with the proper training, ensuring safety, and only when absolutely necessary. This bill makes a rule out of existing voluntary guidelines. This legislature has always voted for life and to protect children from harm. The dangerous and deadly practices that this bill will curtail have resulted in national consequences of injuries and death to children. We have a responsibility to protect students with developmental disabilities from what I consider child abuse when not implemented properly. I vote YES on **HB 2444**.—MARIO GOICO, JOHN RUBIN

MR. SPEAKER: I vote no on **HB 2444**. The primary concern of our public schools should be the safety of students and staff. A safe learning environment leads to a quality education. **HB 2444** does nothing to increase safety. There have been no substantiated formal complaints regarding seclusion or restraint since the guidelines were put in place in Kansas over six years ago. If the guidelines are not followed, parents already have remedies available to them. **HB 2444** would increase government involvement in our schools and harm local control. — GREG SMITH, AMANDA GROSSERODE, KELLY MEIGS, JIM DENNING

HB 2465, AN ACT concerning crimes, punishment and criminal procedure; relating to lifetime electronic monitoring of certain offenders; amending K.S.A. 2011 Supp. 21-6604 and 22-3717 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

HB 2485, AN ACT concerning insurance; relating to antifraud plans; amending K.S.A. 2011 Supp. 40-2,118 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Gregory, Montgomery, O'Hara.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

HB 2494, AN ACT concerning crimes, criminal procedure and punishment; relating to the statute of limitations for sexually violent offenders when the victim is a child; amending K.S.A. 2011 Supp. 21-5107 and repealing the existing section, was

considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

HB 2517, AN ACT concerning water; relating to the water right transition assistance program; amending K.S.A. 2011 Supp. 2-1930 and 2-1931 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

HB 2520, AN ACT concerning public health care; relating to the interstate health care compact, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 37; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bollier, Brown, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, S. Gatewood, Grant, Henderson, Henry, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Pauls, Peterson, Phelps, Roth, Ruiz, Schwab, Slattery, Sloan, Tietze, Trimmer, Victors, Ward, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

EXPLANATION OF VOTE

MR SPEAKER: I vote aye on **HB 2520**. Who can manage money better--federal or state government? Healthcare policy is about who/what is covered. The Health Care Compact is about who decides, and governance reform. Interstate compacts predate the US Constitution; they simply transfer decision-making power and control of funds to the states. No sovereignty is yielded to a compact bureaucracy--if states don't reach agreement, they cannot be forced to do so. In receiving a lump sum federal payment and through better healthcare policy design at state levels, considerable savings could be used on other state programs, or returned to taxpayers through lower taxes. — TERRILOIS GREGORY

HB 2548, AN ACT concerning property taxation; relating to delinquent taxes; partial payment of certain delinquent personal property taxes; poverty affidavits; amending K.S.A. 79-2024 and repealing the existing section; also repealing K.S.A. 79-2102, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl,

Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

Sub HB 2555, AN ACT concerning certain municipalities; relating the conversion of recreation commissions, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Tyson.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The substitute bill passed.

HB 2563, AN ACT designating the annual Kansas wheat festival held in Wellington, Kansas as the official state wheat festival, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 13; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleebl, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brown, Donohoe, Goodman, Gordon, Gregory, Grosserode, Kinzer, Landwehr, Mast, Meigs, Scapa, Tyson.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

HB 2568, AN ACT concerning the Kansas offender registration act; amending K.S.A. 2011 Supp. 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907, 22-4908 and 22-4909 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 22-4902a and 22-4906a, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed, as amended.

HB 2631, AN ACT concerning dental care; amending K.S.A. 2011 Supp. 65-1456 and 75-6102 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Denning, Goodman, Tyson.
 Present but not voting: None.
 Absent or not voting: Grange, McLeland.
 The bill passed, as amended.

EXPLANATIONS OF VOTE

MR SPEAKER: I vote yes on **HB 2631**. Unfortunately, Kansas does not cover dental services under Medicaid for adults. So today we should particularly praise dental care professionals at all levels who participated last weekend in the Kansas Mission of Mercy in KC providing free dental care, for those who in their practices provide charity care and for those professionals who have come together to bring us **HB 2631**, a comprehensive oral health initiative. They have taken care of 2,144 patients, \$1.5 million in care and 1500 volunteers.—STAN FROWNELTER, TOM BURROUGHS, BRODERICK HENDERSON, MICHAEL PETERSON, LOUIS RUIZ, VALDENIA WINN, KATHY WOLFE MOORE

MR SPEAKER: During the past two years we have seen and heard a lot about the need for dental services throughout our state. **HB 2631** includes several measures designed to increase access to important services. One provision will allow dental hygienists with advanced training to provide both preventive and some restorative procedures in nursing homes, schools, community health centers and FQHCs. Moreover **HB 2631** was developed as a cooperative effort with many stakeholders including Oral Health Kansas, hygienists and dentists. I vote yes.—JIM KELLY

Sub HB 2659, AN ACT relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502 and 65-6503 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Feuerborn, Goodman, Tyson.
 Present but not voting: None.
 Absent or not voting: Grange, McLeland.
 The substitute bill passed.

HB 2660, AN ACT concerning the department of health and environment; relating to the licensure of maternity centers and child care facilities; amending K.S.A. 2011 Supp.

65-503, 65-504, 65-506, 65-508, 65-516, 65-523 and 65-524 and repealing the existing sections; also repealing K.S.A. 65-502, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Hoffman, M. Holmes, LeDoux, Otto.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

EXPLANATION OF VOTE

MR SPEAKER: I vote No on **HB 2660**. My mother taught me to do a job correct the first time. This is the wrong direction. We should be looking at people who care for children not the building they are cared for in.—BILL OTTO

SB 289, AN ACT concerning the veterinary practice act; relating to records inspection fee; powers of the board of veterinary examiners; grounds to suspend or revoke a license; amending K.S.A. 47-821 and K.S.A. 2011 Supp. 47-822, 47-830 and 47-842 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 11; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, DeGraaf, S. Gatewood, Goodman, Howell, Kiegerl, Kinzer, Montgomery, Patton, Ward.

Present but not voting: None.

Absent or not voting: Grange, McLeland.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Landwehr in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Landwehr, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2614, HB 2509, HB 2621, HB 2737** be passed.

HB 2498, HB 2638; Sub. HB 2106 be passed over and retain a place on the Calendar.

Committee report to **HB 2599** be adopted; and the bill be passed as amended.

Committee report to **HB 2417** be adopted; and the bill be passed as amended.

Committee report to **HB 2666** be adopted; also, roll call was demanded on motion of Rep. Tietze to amend on page 6, following line 28, by inserting:

"New Sec. 4. (a) As used in this section:

(1) "Construction services" means the construction, alteration, renovation, repair or maintenance of a building, structure, highway, road, bridge, water line, sewer line, oil line, gas line, appurtenance or other improvement to real property, including any moving, demolition or excavation.

(2) "Division of purchasing" means the division of purchasing of the department of administration.

(3) "Kansas worker" means any individual having a residence in Kansas as determined by the employment records of such individual held by the individual's employer.

(4) "State agency" means any state office or officer, department, board, commission, institution or bureau, or any agency, division or unit thereof.

(5) "State contract" means any agreement entered into on and after January 1, 2013, by a state agency for the procurement of services with an annual cost to the state agency of at least \$100,000, excluding lease agreements, lease-purchase agreements and agreements entered into solely for the acquisition of goods or commodities by the state agency.

(b) Any contractor entering into a state contract, including any subcontractors contracted by such contractor to perform work required by such state contract, shall employ a sufficient number of Kansas workers such that at least 70% of the employees assigned by such contractor to perform work under the state contract shall be Kansas workers. An employee shall be considered assigned to perform work under the state contract if the employee performs any work that is directly related to fulfilling the contractor's obligations under the state contract regardless of the proportion of such work to the employee's regular employment duties.

(c) All state agencies shall provide a copy of any state contract to the division of purchasing for verification that the contractor is in compliance with this section. A contractor subject to the requirements of this section shall provide any personnel

information to the division of purchasing as required by the secretary of administration. The division of purchasing shall determine if the contractor's employees are Kansas workers and verify whether the contractor is in compliance with this section. The division of purchasing shall submit a report to the state agency contracting with the contractor stating whether the contractor is in compliance with this section.

(d) A determination by the division of purchasing that a contractor is not in compliance with this section is subject to review pursuant to the Kansas administrative procedure act upon request by the contractor. Any contractor aggrieved by the final decision under the Kansas administrative procedure act may seek review of such decision under the Kansas judicial review act.

(e) An employee who performs work under a state contract and is not a Kansas worker may be exempt from the requirements of this section if such employee provides expertise in a field necessary to fulfillment of the contractor's contractual obligations, and such expertise cannot reasonably be provided by a Kansas worker. A contractor may submit an application to the division of purchasing for an exemption from this section for such employees classified as experts. Such application shall include the name, residence, position and job description of the employee, a detailed explanation as to why such employee is an expert, a detailed explanation as to why such expertise cannot reasonably be provided by a Kansas worker, and such other information as required by the secretary of administration. The division of purchasing shall determine whether such employee shall be exempt from this section and shall include such determination in its report to the state agency pursuant to subsection (c).

(f) The provisions of this section shall not apply to a state contract for construction services if the contractor entering into such state contract maintains an apprenticeship program registered with the Kansas apprenticeship council pursuant to K.S.A. 44-662, and amendments thereto.

(g) The secretary of administration shall adopt such rules and regulations the secretary deems necessary to implement and enforce the provisions of this section.;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "contractors; relating to"; also in line 1, after "experience" by inserting "and employment";

On roll call, the vote was: Yeas 36; Nays 77; Present but not voting: 0; Absent or not voting: 12.

Yeas: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Huebert, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Otto, Pauls, Phelps, Ruiz, Slattery, Spalding, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gregory, Grosserode, Hayzlett, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Mast, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Gordon, Grange, Hedke, Hill, Kelley, Kiegerl, Landwehr, McLeland, Montgomery, Peck, Peterson, Sloan.

The motion of Rep. Tietze did not prevail; and **HB 2666** be passed as amended.

Committee report to **HB 2435** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2477** be adopted; and the substitute bill be passed.

On motion of Rep. Otto to amend **HB 2430**, the motion did not prevail; and the bill be passed.

Committee report to **HB 2437** be adopted; and the bill be passed as amended.

Committee report to **HB 2533** be adopted; also, on motion of Rep. Meier be amended on page 2, in line 28, by striking "and"; in line 32, by striking the period and inserting "; and"; also on page 2, following line 32, by inserting "(9) any animal control officer, as defined by K.S.A. 47-1701, and amendments thereto."; and the bill be passed as amended.

On motion of Rep. Peck to amend **HB 2454**, the motion did not prevail; and the bill be passed.

Committee report to **HB 2534** be adopted; and the bill be passed as amended.

Committee report to **HB 2637** be adopted; also, on motion of Rep. Kleeb be amended on page 5, by striking all in lines 12 through 14; in line 16, after "after" by inserting "March 31, 2013, and"; and the bill be passed as amended.

Committee report to **HB 2730** be adopted; and the bill be passed as amended.

Committee report to **HB 2562** be adopted; and the bill be passed as amended.

Committee report to **HB 2647** be adopted; also, on motion of Rep. Bruchman to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2557** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long-term Care** recommends **HB 2697** be amended on page 1, in line 24 after "insured." by inserting "The collateral assignment shall be irrevocable as established by a written agreement binding on the holder of the life insurance policy to not affect or otherwise use the cash surrender value of such policy after the irrevocable assignment pursuant to rules and regulations promulgated by the secretary of the department of health and environment."; and the bill be passed as amended.

Committee on **Education** recommends **HB 2018**, be amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 3, 2011, and the bill, as printed with amendments by House Committee, be further amended on page 1, in line 6, by striking "2010" and inserting "2011"; in line 15, by striking all after "(3)"; by striking all in lines 16 through 24; by striking "(4)" in line 25; in line 28, by striking "2012-"; in line 29, by striking "2013" and inserting "2013-2014"; in line 31, by striking "2012-2013" and inserting "2013-2014";

On page 2, in line 23, by striking "2010" and inserting "2011"; in line 31, by striking "If a school district becomes ineligible for medium density at-"; by striking all in lines 32 through 39;

On page 3, in line 1, by striking "(d)"; in line 4, by striking "2012-2013" and

inserting "2013-2014"; in line 6, by striking "2010" and inserting "2011";

On page 1, in the title, in line 2, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2634** be amended on page 1, by striking all in lines 8 through 36;

By striking all on page 2.

On page 3, by striking lines 1 through 10 and inserting:

"New Section 1. (a) (1) The board of education of each school district may apply to the state board for a grant of state moneys for the purpose of paying the costs for a probationary teacher or administrative employee to attend mentor programs. The state board shall award such grants of state moneys in accordance with the provisions of this section.

(2) To be eligible to receive a grant of state moneys, a board of education shall submit to the state board an application for a grant. The application shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of the application is prerequisite to the award of a grant.

(3) Each board of education which is awarded a grant shall make such periodic and special reports of statistical, financial and such other information to the state board as the state board may request.

(b) The state board may adopt rules and regulations, which establish:

(1) Standards and criteria for evaluating and approving mentor programs and applications of school districts for grants; and

(2) the evaluation and approval of mentor programs.

(c) Within the limitations of appropriations therefor, the state board shall determine the amount of grants to be awarded to each school district by considering the number of probationary teachers and administrative employees participating in a mentor program. Upon receipt of a grant of state moneys, in accordance with this section, the amount of the grant shall be deposited in the general fund of a school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the school district finance and quality performance act. The full amount of the grant shall be allocated among the probationary teachers and administrative employees employed by the school district.

(d) The state board shall provide any board of education of any school district, upon request, with technical advice and assistance regarding an application for a grant of state moneys.

(e) This section shall be part of and supplemental to the provisions of article 14 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.";

Also on page 3, in line 13, by striking "Objective" and inserting "Multiple"; in line 14, by striking "Such objective measures shall include:"; by striking all in lines 15 through 24 and inserting "Such multiple measures shall be determined by the state board of education."; in line 32, by striking "the following allocations to"; by striking all in line 33; in line 34, by striking "(A) Fifty percent based on"; in line 35 by striking the semicolon and inserting "as the primary factor for the evaluation."; by striking all in lines 36 through 41;

On page 4, in line 1, after "board" by inserting "of education"; in line 11, by striking "within 90 school days from the date the plan of assistance is"; in line 12, by striking

"implemented"; in line 19, after "board" by inserting "of education"; in line 22, after "board" by inserting "of education"; by striking all in lines 27 through 43;

By striking all on page 5;

On page 6, by striking lines 1 through 42 and inserting:

"Sec. 4. K.S.A. 72-1412 is hereby amended to read as follows: 72-1412. As used in K.S.A. 72-1412 through 72-1415 and section 1, and amendments thereto: (a) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity, and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto.

(b) "Mentor program" means any research-based mentoring program approved by the state board for the purpose of providing probationary teachers and administrative employees with professional support

(c) "Mentor teacher program" means a program established and maintained by the board of education of a school district for the purpose of providing probationary teachers with professional support and the continuous assistance of an on-site mentor teacher.

~~(b)~~(d) "Mentor teacher" means a certificated teacher who has completed at least three consecutive school years of employment in the school district, has been selected by the board of education of the school district on the basis of having demonstrated exemplary teaching ability as indicated by criteria established by the state board of education, and has participated in and successfully completed a training program for mentor teachers provided for by the board of education of the school district in accordance with guidelines prescribed by the state board of education. The primary function of a mentor teacher shall be to provide probationary teachers with professional support and assistance. A mentor teacher may provide assistance and guidance to not more than two probationary teachers.

~~(e)~~(e) "Probationary teacher" means a certificated teacher to whom the provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto, do not apply.

(f) "State board" means the state board of education."

On page 8, in line 26, after "(A)" by inserting "(i)"; in line 35, before "each" by inserting "professional employee appraisal procedures in accordance with state law and subject to the limitations in subsection (I)(1)(A)(ii)"; in line 38, after "system;" by inserting "(ii) on and after the state board of education adopts, by rules and regulations, the Kansas education evaluation protocol or a statewide evaluation system substantially similar to the Kansas education evaluation protocol, for a board of education of any school district, the term "terms and conditions of professional service" does not include professional employee appraisal procedures;"

On page 9, following line 35, by inserting:

"Sec. 6. K.S.A. 72-5442 is hereby amended to read as follows: 72-5442. The hearing officer may:

- (a) Administer oaths;
- (b) issue subpoenas for the attendance and testimony of witnesses and the production of books, papers and documents relating to any matter under investigation;
- (c) authorize depositions to be taken;
- (d) receive evidence and limit lines of questioning and testimony which are repetitive, cumulative or irrelevant;

(e) call and examine witnesses and introduce into the record documentary and other evidence;

(f) regulate the course of the hearing and dispose of procedural requests, motions and similar matters; and

(g) take any other action necessary to make the hearing accord with administrative due process.

Hearings under this section shall not be bound by rules of evidence whether statutory, common law or adopted by the rules of court, except that, the burden of proof shall initially rest upon the board in all instances other than when the allegation is that the teacher's contract has been terminated or nonrenewed by reason of the teacher having exercised a constitutional right. All relevant evidence shall be admissible, except that the hearing officer, in the hearing officer's discretion, may exclude any evidence if the hearing officer believes that the probative value of such evidence is substantially outweighed by the fact that its admission will necessitate undue consumption of time. A hearing officer shall consider an evaluation as evidence.;

On page 10, in line 28, after "(d)" by inserting "(1)"; also in line 28, after "herein" by inserting "and in subsection (d)(2)"; following line 36, by inserting:

"(2) if a teacher receives a rating designation of progressing or ineffective pursuant to K.S.A. 72-9001 *et seq.*, and amendments thereto, in such teacher's most recent evaluation, such teacher shall be evaluated at least one time per semester by not later than the 60th school day of the semester;"

On page 11, by striking all in lines 28 through 34; in line 35, by striking "(h)" and inserting "(g)";

And by renumbering sections accordingly;

On page 12, in line 43, by striking "72-1413, 72-1414, 72-1415," and inserting "72-5442,";

On page 1, in the title, in line 1, by striking the second "pertaining"; in line 2, by striking the first "to"; also in line 2, by striking "pertaining to"; in line 3, by striking "72-1413, 72-"; in line 4, by striking "1414, 72-1415," and inserting "72-5442,"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2519** be amended on page 16, following line 8, by inserting:

"Sec. 4. K.S.A. 2011 Supp. 40-4905 is hereby amended to read as follows: 40-4905. (a) Subject to the provisions of K.S.A. 2011 Supp. 40-4904, and amendments thereto, it shall be unlawful for any person to sell, solicit or negotiate any insurance within this state unless such person has been issued a license as an insurance agent in accordance with this act.

(b) Any person applying for a resident insurance agent license shall make application on a form prescribed by the commissioner. The applicant shall declare under penalty of perjury that the statements made in the application are true, correct and complete to the best of the applicant's knowledge and belief. Before approving the application, the commissioner shall determine that the applicant:

(1) Is at least 18 years of age;

(2) has not committed any act that is grounds for denial pursuant to this section or suspension or revocation pursuant to K.S.A. 2011 Supp. 40-4909, and amendments thereto;

(3) is a citizen of the United States or is an alien lawfully present in the United

States:

~~(3)~~(4) has paid a nonrefundable fee in the amount of \$30; and
~~(4)~~(5) has successfully passed the examination for each line of authority for which the applicant has applied.

(c) If the applicant is a business entity, then the commissioner shall make the following additional determinations in addition to those required by subsection (a):

(1) The name and address of a licensed agent who shall be responsible for the business entity's compliance with the insurance laws of this state and the rules and regulations promulgated thereunder;

(2) that each officer, director, partner and employee of the business entity who acts as an insurance agent is licensed as an insurance agent;

(3) that the business entity has disclosed to the department all of its officers, directors and partners whether or not such officers, directors, partners and employees are licensed as insurance agents; and

(4) that the business entity has disclosed to the department each officer, director, partner and employee who is licensed as an insurance agent.

(d) Any business entity which acts as an insurance agent and holds a direct agency appointment from an insurance company shall be required to obtain an insurance agent license.

(e) The commissioner may require the applicant to furnish any document or other material reasonably necessary to verify the information contained in an application.

(f) Each insurer that sells, solicits or negotiates any form of limited line credit insurance shall provide a program of instruction that may be approved by the commissioner to each individual employed by or acting on behalf of such insurer to sell, solicit or negotiate limited line credit insurance.

(g) (1) Each licensed insurance agent shall notify the commissioner of any officer, director, partner or employee of such insurance agent who:

(A) Is licensed as an individual insurance agent; and

(B) was not disclosed in such insurance agent's application for a license or any renewal thereof.

(2) Each licensed insurance agent shall notify the commissioner of any of its officers, directors, partners or employees who:

(A) Have terminated such relationship as an officer, director, partner or employee of such insurance agent; and

(B) has been previously disclosed in such insurance agent's application for a license or any renewal thereof.

(3) Each licensed insurance agent shall notify the commissioner within 30 working days of occurrence of any event required to be reported under paragraphs (1) or (2) of this subsection. Failure to provide the commissioner with the information required by this subsection shall subject the licensee to a monetary penalty of \$10 per day for each working day the required information is late subject to a maximum of \$50 per person per licensing year.

(h) Any applicant whose application for a license, is denied shall be given an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(i) (1) For the purposes of determining citizenship of the applicant, the commissioner may rely upon any document submitted by the applicant and which is

specified in subsection (l) of K.S.A. 2011 Supp. 25-2309, and amendments thereto.

(2) For the purposes of determining whether an alien is lawfully present in the United States, the commissioner shall make a reasonable attempt, when practicable, to determine the immigration status of the applicant. Such determination shall be made by contacting the federal government pursuant to 8 U.S.C. § 1373(c) and relying on the verification provided by the federal government.";

And by renumbering sections accordingly;

Also on page 16, in line 10, by striking "and" and inserting a comma; also in line 10, after "22-2410a" by inserting "and 40-4905";

On page 1, in the title, in line 1, by striking "expungement" and inserting "licensure of insurance agents"; in line 2, after "license" by inserting "; allowing the insurance department access to expungement records of applicants for insurance agent license"; also in line 2, by striking "and" and inserting a comma; in line 3, after "2410" by inserting "and 40-4905"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2260** be amended on page 1, in line 13, by striking the colon; by striking all in lines 14 through 17; in line 18, by striking "(B)"; also in line 18, by striking "all forms of cruelty,"; in line 19, by striking "neglect, degradation and inhumanity" and inserting "abuse and neglect as defined by state law"; in line 20, by striking "shall not include" and inserting "includes the"; in line 23, by striking "except"; in line 24, after "States." by inserting "'Compelling governmental interest" with respect to the prohibition of a practice or policy of discrimination against individuals in employment relations, in access to free and public accommodations or in housing shall not include any additional prohibitions not set forth in K.S.A. 44-1001 *et seq.*, and amendments thereto, and the laws and constitution of the United States."; in line 27, after the first "the" by inserting "free exercise clause of the"; in line 29, by striking "tenant" and inserting "tenet"; in line 31, by striking "tenants" and inserting "tenets";

On page 2, in line 19, after the semicolon by inserting "or"; in line 20, by striking the semicolon and inserting a period; by striking all in lines 21 and 22; in line 27, after "parent" by inserting ", or create any new right,"; in line 31, after "children" by inserting "as set forth in the laws and constitution of the state of Kansas and of the United States"; in line 33, by striking the first "15" and inserting "16"; in line 43, after "(b)" by inserting "Except as provided in subsection (c).";

On page 3, following line 3, by inserting:

"(c) This act shall not apply to penological rules and regulations, conditions or policies established by a jail, correctional institution or juvenile detention facility or an entity supervising offenders in the community that are reasonably related to the safety and security of incarcerated persons, staff, visitors, supervised offenders or the public, or to maintenance of good order and discipline in any jail, correctional institution or juvenile detention facility."; and the bill be passed as amended.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2018** from the Calendar under the heading General Orders and rereferral to Committee on Appropriations.

Also, the withdrawal of **HB 2634**, **HB 2718** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2693** from Committee on Education Budget and referral

to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2485, HB 2517, HB 2631 reported correctly engrossed February 21, 2012.

Also, **Sub HB 2295; HB 2444, HB 2465, HB 2563, HB 2568** reported correctly engrossed February 22, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m. Thursday, February 23, 2012.

Journal of the House

THIRTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 23, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Prayer by Chaplain Brubaker:

Lord,
We recognize that the days and discussions are getting longer;
thus requiring us to become a little bit stronger.
As the dialogue and conversation gets more intense,
it is easy for us to take offense.
So help us, Lord, today,
to be careful in how we act and what we say.
Keep us mindful of these things:
to be more participative than directive,
more enabling than performing,
more understanding than demanding.
Help us to maintain our discipline, integrity and courage...
and never lose our sense of humor.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Trimmer.

Kansas Trivia Question – In the early years of statehood, what corporations owned one-sixth of the land in Kansas?

Answer: The railroad

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5033**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2012 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate

concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 23, 2012, and shall reconvene on February 29, 2012, pursuant to adjournment of the daily session convened on February 23, 2012; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the *per diem* compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a, and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education Budget: **HB 2766**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2260**, **HB 2425**, **HB 2498**, **HB 2697** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2674** from Committee on Transportation and Public Safety Budget and referral to Committee on Appropriations.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2417, AN ACT concerning driver's licenses; amending K.S.A. 2011 Supp. 8-247 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery,

Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brunk, Huebert, Kinzer, LeDoux, Peck, Schwartz.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2430, AN ACT concerning school districts; relating to the contingency reserve fund; amending K.S.A. 2011 Supp. 72-6426 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: LeDoux.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2435, AN ACT concerning postsecondary technical education; relating to career technical education programs and workforce grants; amending K.S.A. 72-4460, 72-4461, 72-4462, 72-4463, 72-4464 and 72-4465 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs,

Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Grosserode, LeDoux, Vickrey.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2437, AN ACT concerning elections; relating to voting; changing effective date of United States citizenship requirements; amending K.S.A. 2011 Supp. 25-2309, 25-2908 and 65-2418 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Klee, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bollier, Brookens, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Pauls, Peterson, Phelps, Roth, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Dance around it all you want. Cover your eyes and pretend it isn't so. **HB 2437** will stop tens of thousands of Kansans from voting this year. **HB 2437** creates barriers to voting that do not exist in any other state in the nation. **HB 2437** violates federal voting law. The Secretary of State and our election offices cannot implement it in time for the primary election. To make registrants born out of state pay for a birth certificate is a poll tax. To require women to go through a three-step process to register to vote is unconscionable. Aliens lined up to vote? Ridiculous. I vote no. – ANN MAH

MR. SPEAKER: **HB 2437** will prevent many Kansans from voting who have voted without question for years, unless they are given ample time to obtain the necessary papers to stay registered. Implementation by June 2012 is clearly insufficient time. It

particularly hits hard the infirm and elderly. To speed up this mandate is unthinkable. Those who were born out of state must produce their out-of-state birth certificate and that takes time, particularly for the infirm. In the 70th District alone, this most certainly impacts 20-40 Kansans. Mr. Speaker, I vote NO on **HB 2437**. – ROBERT BROOKENS

HB 2454, AN ACT concerning income taxation; providing a checkoff for the Kansas arts commission checkoff fund, was considered on final action.

On roll call, the vote was: Yeas 95; Nays 29; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Fawcett, Finney, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Worley.

Nays: Aurand, Ballard, Burroughs, Carlin, Collins, Davis, Dillmore, Donohoe, Feuerborn, Flaharty, D. Gatewood, S. Gatewood, Grant, Henderson, Kinzer, Kuether, Lane, Mah, McCray-Miller, O'Hara, Peck, Peterson, Phelps, Ruiz, Schwab, Slattery, Sloan, Tietze, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: The full cost of this bill is not explained in the fiscal note. With every previous addition to the growing check-off list there is a corresponding decrease in donations to the previous funds. Those funds are: non-game wildlife improvement, Meals on Wheels, breast cancer research and military emergency relief. If there are no proponents to this legislation, I cannot see adding them to this check-off when I know that it will mean decreased donations to the other organizations. I simply cannot prioritize the Arts over these worthy organizations if this is not what the arts truly wants and did not ask for. Mr. Speaker, I vote no on **HB 2454**.--SEAN GATEWOOD, NILE DILLMORE

Sub HB 2477, AN ACT concerning compulsory school attendance laws; relating to educational alternatives; amending K.S.A. 2011 Supp. 72-1111 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 83; Nays 41; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Donohoe, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman,

C. Holmes, Howell, Huebert, Kelley, Kerschen, Kinzer, Kleeb, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Tietze, Victors, Ward, Weber, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Brown, Brunk, Burroughs, Cassidy, Collins, Denning, Dillmore, Fawcett, Feuerborn, D. Gatewood, Grant, Gregory, Henderson, Henry, Hildabrand, M. Holmes, Johnson, Kelly, Kiegerl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mesa, Moxley, Otto, Peck, Peterson, Phelps, Ruiz, Schroeder, Schwab, Swanson, Trimmer, Tyson, Vickrey, Wetta, Williams.

Present but not voting: None.

Absent or not voting: Grange.

The substitute bill passed.

HB 2509, AN ACT designating a part of K-9 highway as the David Mee memorial highway; amending K.S.A. 2011 Supp. 68-1051 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 25; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Crum, Davis, DeGraaf, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Bollier, Boman, Brown, Collins, Colloton, Denning, Donohoe, D. Gatewood, Gordon, Gregory, Grosserode, Hildabrand, Hoffman, Kiegerl, Knox, Landwehr, McLeland, Meigs, Montgomery, Ryckman, Scapa, Sloan, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2533, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse; amending K.S.A. 2011 Supp. 38-2223 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke,

Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bollier.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Child abuse, particularly sexual abuse, is abhorrent. Regardless of laws in place, any moral person would report knowledge of such abuse. While I **fully** believe the intent of **HB 2533** is good, I am concerned about raising the penalty level to felony, particularly for volunteers who have not been trained as mandatory reporters. Will Sunday school teachers be considered felons if not reporting a conversation overheard that involves sex with a minor? Must a doctor prescribing contraception to teens report possible statutory rape or face felony charges? I am not clear about these possible unintended consequences. Mr. Speaker, I vote "no" on **HB 2533**.--BARBARA BOLLIER

MR. SPEAKER: I vote AYE on **HB 2533**. The horrible events that occurred at Penn State have prompted this Legislature to address the inexcusable circumstance of failure to report suspected child abuse. Under **HB 2533**, such failure to report is severely penalized – as it should be. I cannot imagine the pain and suffering that a victim of child abuse and the victim's family must endure. Hopefully, the action of the Kansas House today will help insure that the events that transpired at Penn State will not occur here.--TRENT LEDOUX

HB 2534, AN ACT concerning children and minors; relating to reporting of disappearance or death of a child; relating to interference with law enforcement; amending K.S.A. 2011 Supp. 21-5904 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller,

McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: The sad events surrounding the disappearance and subsequent death of a child in Florida served as the genesis of **HB 2534**. This bill establishes penalties for failure to report the death or disappearance of a child. By passing our own version of Caylee's Law, the Kansas House takes the position that adults must be held accountable when they are in charge of a child. It saddens me that we have to seek a legislative remedy to what should be commonsense. Nonetheless, the safety of a child should concern us all. I vote AYE on **HB 2534**.--TRENT LEDOUX

HB 2557, AN ACT concerning commercial vehicles; requiring an annual commercial vehicle fee; amending K.S.A. 79-306d and K.S.A. 2011 Supp. 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04, 79-1439, 79-3425i and 79-5101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2562, AN ACT concerning public health; relating to emergency care or assistance at the scene of an emergency or accident, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2599, AN ACT concerning motor vehicles; relating to certain antique license plates; providing for registration decals; amending K.S.A. 2011 Supp. 8-172 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 11; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, Dillmore, Donohoe, Gregory, Grosserode, Hildabrand, Kinzer, LeDoux, Montgomery, O'Hara.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2614, AN ACT designating the junction of interstate 70 and United States highway 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Denning, Ryckman.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2621, AN ACT concerning the uniform commercial code; relating to secured transactions; amending K.S.A. 2011 Supp. 84-9-102, 84-9-105, 84-9-307, 84-9-311, 84-9-316, 84-9-317, 84-9-326, 84-9-406, 84-9-408, 84-9-502, 84-9-503, 84-9-507, 84-9-515, 84-9-516, 84-9-518, 84-9-607 and 84-9-625 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2637, AN ACT concerning workers in shared employment arrangements;

amending K.S.A. 2011 Supp. 40-955 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2647, AN ACT concerning personal and real property; relating to the self-service storage act; amending K.S.A. 58-817 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 18; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, D. Gatewood, Goico, Gonzalez, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bruchman, Brunk, Frownfelter, Garber, S. Gatewood, Goodman, Gordon, Gregory, Grosserode, Howell, Landwehr, LeDoux, Mast, Pottorff, Schwab, Suellentrop, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2666, AN ACT concerning experience requirements for certain contractors;

amending K.S.A. 2011 Supp. 12-1509, 12-1526 and 12-1542 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: DeGraaf, Feuerborn, Gordon, Gregory, Grosserode, LeDoux, Montgomery, O'Hara, Powell, Tyson.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2730, AN ACT concerning food and lodging; relating to inspections and licensing; amending K.S.A. 36-505, 36-515a, 36-517, 65-660, 65-674 and 65-682 and K.S.A. 2011 Supp. 36-501, 36-502, 36-506, 36-510, 36-515, 36-515b, 36-518, 36-519, 36-520, 65-655, 65-656, 65-657, 65-658, 65-685, 65-688, 65-689 and 65-690 and repealing the existing sections; also repealing K.S.A. 36-508, 36-511, 36-513, 36-515c, 65-619, 65-620, 65-621, 65-622, 65-623, 65-624, 65-625, 65-631, 65-632, 65-633, 65-634, 65-637, 65-638, 65-639, 65-640, 65-642, 65-651, 65-652, 65-654, 65-659, 65-661, 65-666, 65-667, 65-677 and 65-681 and K.S.A. 2011 Supp. 36-503, 36-504, 36-507, 36-509, 65-626, 65-635, 65-641, 65-653, 65-673, 65-676, 65-683, 65-684, 65-686, 74-591, 74-592, 74-593, 74-594, 74-595, 74-596, 74-596a, 74-597, 74-598, 74-5,101 and 74-5,102, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith,

Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, DeGraaf, Kuether, Lane, LeDoux, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2737, AN ACT concerning juvenile offenders; relating to consecutive sentencing; amending K.S.A. 2011 Supp. 38-2369 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2624, HB 2619, HB 2618, HB 2596, HB 2597, HB 2604, HB 2605, HB 2626, HB 2649, HB 2668, HB 2669, HB 2670, HB 2672, HB 2676, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2673** be passed.

Sub. HB 2431 be passed over and retain a place on the Calendar.

Committee report recommending a substitute bill to **Sub HB 2166** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **Sub HB 2427** be adopted; and the substitute bill be passed.

Committee report to **HB 2715** be adopted; also, on motion of Rep. Kleeb be amended on page 3, following line 14, by inserting:

"New Sec. 3. (a) A public school district shall not prohibit or prevent the making of any facility or building under such public school district's control available to registered political parties, without discrimination, for the purposes of holding:

(1) A caucus open to the public for the purpose of selecting delegates to the national presidential nominating convention of the registered political party;

(2) a district convention for the offices of state representative or state senator pursuant to K.S.A. 25-3901 *et seq.*, and amendments thereto; or

(3) an organizational meeting of the registered political party held not more than once every two years.

(b) When a public school district makes a facility or building available to a registered political party under subsection (a), such public school district may:

(1) Establish terms and conditions for use of the facility or building; and

(2) recover any actual costs incurred for the use of the facility or building from the registered political party.

(c) The provisions of K.S.A. 25-4169a, and amendments thereto, shall not apply to this section.";

And by redesignating subsections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning" and inserting "elections and electioneering."; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2159** be adopted; also, on motion of Rep. Landwehr be amended on page 1, in line 8, by striking "subsections (b) and (c)" and inserting "subsection (d)"; in line 22, after "licensed" by inserting "healthcare"; also in line 22, by striking "of the healing arts"; also in line 22, by striking "If treating a"; by striking all in lines 23 through 27; in line 28, by striking "prior to continuing treatment." and inserting "If treating a patient without a referral from a licensed healthcare practitioner and the patient is not progressing toward documented treatment goals as demonstrated by objective, measurable or functional improvement, or any combination thereof, after 10 patient visits or in a period of 15 business days from the initial treatment visit following the initial evaluation visit, the physical therapist shall obtain a referral from an appropriate licensed healthcare practitioner prior to continuing treatment."; also in line 28, by striking "must" and inserting "shall"; in line 29, after "licensed" by inserting "healthcare";

On page 2, following line 19, by inserting:

"(d) Nothing in this section shall be construed to prevent a hospital or ambulatory surgical center from requiring a physician order or referral for physical therapy services for a patient currently being treated in such facility.

(e) When a patient self-refers to a physical therapist pursuant to this section, the physical therapist, prior to commencing treatment, shall provide written notice to the patient that a physical therapy diagnosis is not a medical diagnosis by a physician.

(f) Physical therapists shall perform wound debridement services only after approval by a person licensed to practice medicine and surgery or other licensed healthcare practitioner in appropriately related cases.

(g) As used in this section, "licensed healthcare practitioner" means a person licensed to practice medicine and surgery, a licensed podiatrist, a licensed physician assistant or a licensed advanced practice registered nurse working pursuant to the order or direction of a person licensed to practice medicine and surgery, a licensed chiropractor, a licensed dentist or licensed optometrist in appropriately related cases.";

and the substitute bill be passed as amended.

Committee report to **HB 2638** be adopted; also, on motion of Rep. Ruiz to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Mah to amend **HB 2638** on page 27, following line 16, by inserting:

"Sec. 5. K.S.A. 2011 Supp. 44-766 is hereby amended to read as follows: 44-766. (a) No person shall knowingly and intentionally misclassify an employee as an independent contractor for the sole or primary purpose of avoiding either state income tax withholding and reporting requirements or state unemployment insurance contributions reporting requirements.

(b) (1) Any person violating subsection (a) shall upon first violation be subject to a civil penalty in an amount computed in the manner prescribed in K.S.A. 79-3228, and amendments thereto.

(2) Any person violating subsection (a) upon a second or subsequent violation shall be subject to a civil penalty computed as prescribed in paragraph (1) and in addition, upon conviction, shall be guilty of a ~~class C nonperson misdemeanor~~ severity level 10, nonperson felony.

~~(3) Any person violating subsection (a) upon a third or subsequent violation shall be subject to a civil penalty computed as prescribed in paragraph (1) and in addition, upon conviction, shall be guilty of a class A nonperson misdemeanor.~~

(c) Criminal violations of subsection (a) may be prosecuted by the attorney general or the district or county attorney for the county in which the violation occurred.

(d) Any civil penalty assessed hereunder shall be remitted to the secretary and deposited in the state treasury.

(e) Any penalty provided in this section shall be in addition to any other penalty and remedy that may otherwise be imposed under the employment security act and such remedies shall be cumulative.

(f) This section shall be part of and supplemental to the employment security law."; Also on page 27, in line 17, by striking "and 44-714" and inserting ", 44-714 and 44-766";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, following the second semicolon by inserting "pertaining to penalties for misclassification of employees;"; in line 4, by striking "and 44-714"; and inserting ", 44-714 and 44-766"

On roll call, the vote was: Yeas 39; Nays 83; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Grosserode, Henderson, Henry, Kelley, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Otto, Pauls, Peterson, Phelps, Ruiz, Slattery, Sloan, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal,

Osterman, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Grange, Huebert, Landwehr.

The motion of Rep. Mah did not prevail; and **HB 2638** be passed as amended.

Committee report to **HB 2629** be adopted; and the bill be passed as amended.

Committee report to **HB 2655** be adopted; and the bill be passed as amended.

Committee report to **HB 2313** be adopted; and the bill be passed as amended.

Committee report to **HB 2212** be adopted; also, on motion of Rep. Ward be amended on page 1, by striking all in lines 7 through 34;

On page 2, by striking all in lines 1 through 20;

Also on page 2, following line 20, by inserting:

"Section 1. K.S.A. 2011 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local *ad valorem* tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated and acts amendatory thereof and supplemental thereto during the preceding calendar year from the state general fund to the local *ad valorem* tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local *ad valorem* tax reduction fund during state fiscal years 2009, 2010, 2011; and 2012, and 2013; and (2) the amount of the transfer on each such date shall be ~~\$13,500,000~~ \$22,500,000 during fiscal year years 2013 and 2014, \$20,250,000 during fiscal year 2015, and \$27,000,000 during fiscal year 2016 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year 2014 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.";

And by renumbering sections accordingly;

Also on page 2, in line 21, by striking "79-2925b" and inserting "79-2959";

On page 1, in the title, in line 1, by striking "relating to revenues produced by"; by striking all in line 2; in line 3, by striking "requirements;" and inserting "transferring moneys to the local *ad valorem* tax reduction fund;"; also in line 3, by striking "79-2925b" and inserting "79-2959"; and **HB 2212** be passed as amended.

Committee report to **HB 2646** be adopted; also, on motion of Rep. Frownfelter to amend, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2627** be adopted; also, on motion of Rep. Slattery be amended on page 1, in line 20, after "(b)" by inserting "Subject to the provisions of subsection (e)."; in line 34, after "(c)" by inserting "Subject to the provisions of subsection (e).";

On page 2, in line 7, after "employer." by inserting "Upon return of the employer's property the employer shall relinquish the wages withheld to the employee.";

Also on page 2, following line 19, by inserting:

"(e) Amounts withheld under this section shall not reduce wages paid to below the minimum wage required under the federal fair labor standards act, 29 U.S.C.A. § 201 *et seq.*, or the minimum wage required under K.S.A. 44-1203, and amendments thereto, whichever is applicable.";

Also, on further motion of Rep. Slattery to amend, the motion did not prevail; and **HB 2627** be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2106** be adopted; also, on motion of Rep. Schwartz be amended on page 1, in line 5, before "Section" by inserting "New";

On page 2, following line 2, by inserting:

"Sec. 2. K.S.A. 58-3201 is hereby amended to read as follows: 58-3201. (a) The purpose of this act is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

(b) Nothing in the provisions of K.S.A. 58-3201 et seq., and amendments thereto, shall be construed as the granting of an easement over such land by the owner thereof, nor as the granting of an easement over such land by adverse possession.

Sec. 3. K.S.A. 58-3201 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "exceptions" by inserting "; amending K.S.A. 58-3201 and repealing the existing section"; and **Sub HB 2106** be passed as amended.

Committee report to **HB 2650** be adopted; also, on motion of Rep. Burgess be amended on page 2, following line 10, by inserting:

"New Sec. 2. Sections 2 through 10, and amendments thereto, may be known and cited as the Kansas one map act.

New Sec. 3. Kansas one map requires the implementation of an overall Kansas land and geographic resources program through the use of a geographic information system which requires cooperative methods for development and maintenance of spatial data between state and local governments in Kansas.

New Sec. 4. As used in sections 3 through 8, and amendments thereto, unless the context shows otherwise:

(a) "Board" means the Kansas geographic information systems policy board.

(b) "Geographic information" means data and datasets containing location information including, but not limited to, remotely sensed imagery, global positioning systems files, geospatially referenced computer-aided design files, digital cartographic products, spatially enabled databases, and geospatial datasets locating and describing features and their attributes on, above or under the earth.

(c) "Geographic information systems" or "GIS" is an information system capable of

capturing, integrating, storing, editing, analyzing, managing, sharing and displaying geographic information. A GIS involves computer hardware, software, networks and applications, as well as the people to operate, develop, administer and use them.

(d) "Spatial data" is also known as geospatial data or geographic information and means the data or information that identifies the geographic location of features and boundaries on earth, such as natural or constructed features, oceans and more. Spatial data is usually stored as coordinates and topology and is data that can be mapped. Spatial data is often accessed, manipulated or analyzed through geographic information systems (GIS).

New Sec. 5. (a) There is hereby established the Kansas geographic information systems policy board within the office of information technology services.

(b) The board shall consist of 21 members:

(1) The governor shall appoint 11 members as follows: Five representatives of local government, including cities, counties or local government consortia of cities, counties, non-profit and private sector enterprises. Such members may include, but are not limited to, representatives from city and county commissions or planning councils, tribal government, law enforcement, county clerks, county appraisers and emergency planning divisions; two representatives of the board of regents institutions; and two executives representing the private sector. Members from the private sector may include, but are not limited to, representatives from the trucking industry, utilities, telecommunications, publishers, agriculturalists, oil and gas industry, chambers of commerce, aircraft and auto industry and the banking community; and two representatives from relevant statewide businesses or professional organizations, such as statewide associations of groundwater management districts, emergency planning, law enforcement, licensed surveyors and other relevant technical professions or agriculture-related businesses.

(2) The remaining 10 members shall be:

(A) The executive chief information technology officer of the office of information technology services or such officer's designee;

(B) the director of the Kansas water office or such director's designee;

(C) the state biologist of the Kansas biological survey or the state biologist's designee;

(D) the state geologist of the Kansas geological survey or the state geologist's designee;

(E) the executive director of the Kansas historical society or such executive director's designee;

(F) the secretary of agriculture or such secretary's designee;

(G) the secretary of health and environment or such secretary's designee;

(H) the director of legislative research of the legislative research department or such director's designee;

(I) the secretary of revenue or such secretary's designee; and

(J) the secretary of transportation or such secretary's designee.

(c) Members appointed by the governor under subsection (b)(1) shall be appointed for a four-year term and until such member's successors are appointed and qualified, except as provided in subsection (d). Members not appointed by the governor under subsection (b)(1) shall serve consistent with their terms of office, employment or appointment.

(d) The governor may remove a member from the board for lack of attendance or lack of participation.

(e) The governor shall select a chairperson and vice-chairperson from among the members of the board who shall serve as chairperson and vice-chairperson at the discretion of the governor. The board may elect other officers among its members and may establish any committees deemed necessary to discharge its duties.

(f) Board members shall not receive compensation, subsistence allowance, mileage or associated expenses. Officers or employees of state agencies who serve on the board shall be authorized to serve on the board as part of their duties.

New Sec. 6. The board shall:

(a) Establish public and private partnerships throughout Kansas to maximize value, minimize cost and avoid redundant activities in the development and implementation of geographic information systems;

(b) foster efficient and secure methods for data sharing at all levels of government;

(c) coordinate, review and provide recommendations on geographic information systems programs and investments and provide assistance with dispute resolution among geographic systems partners;

(d) continue to establish Kansas' leadership role in the national effort to improve capabilities for sharing geographic information and ideas with other states;

(e) promote the use of geographic information systems technologies as tools to breakthrough structural and administrative boundaries to collaborate on shared problems and enhance information analysis and decision-making processes within all levels of government;

(f) shall be a standing advisory committee to the information technology executive council and shall provide a copy of its annual report to the council, as well as to the governor and both houses of the legislature; and

(g) shall work jointly with officials from other state agencies, organizations and county, municipal and tribal governments, as well as with businesses and organizations in the private sector who are concerned with the efficient management of the state's geographic information systems resources.

New Sec. 7. (a) There is hereby established the office of state geographic information systems officer who shall be appointed by the governor and who shall serve in the office of information technology services.

(b) The state geographic information systems officer shall:

(1) Implement Kansas one map, an enterprise statewide mapping strategy that: (A) Supports Kansas state entities and local governments as they foster economic vitality, manage resources, educate, save and restore the natural environment, advance health initiatives, ensure public safety and support science; and (B) enables state entities and local governments to better implement and coordinate policies and programs across Kansas;

(2) implement and maintain the Kansas data access and support center, an enterprise geospatial data clearinghouse to include a central store and catalog of Kansas data and mapping services available to all state entities and the public;

(3) recruit a technical committee and appoint the technical committee chair;

(4) provide oversight for the development of the Kansas one map program and monitor Kansas one map metrics;

(5) establish and manage a Kansas one map communications plan and provide for

Kansas one map education;

(6) maintain a liaison relationship with state, federal, regional, county and municipal organizations;

(7) promote, advertise and market applications, capabilities, benefits and results of the Kansas one map program;

(8) assist in the identification and capturing of funding to support the Kansas one map program; and

(9) recommend to the executive chief information technology officer such rules and regulations as may be necessary to implement the provisions of the Kansas one map act.

(c) The executive chief information technology officer may adopt rules and regulations as provided in section 1, and amendments thereto, to implement the provisions of the Kansas one map act.

New Sec. 8. All state departments, agencies, commissions and boards shall cooperate with the Kansas geographic information systems policy board and the state geographic information systems officer in implementing the initiatives of Kansas one map.

New Sec. 9. Funding for the Kansas data access and support center shall be continued through the office of information technology services and shall be directed to the Kansas geological survey which currently houses and supports this function.

New Sec. 10. In order for the state geographic information systems officer to meet the goals set out in section 6, and amendments thereto, such officer will be supported with other office of information services as needed and available for coordination, standards development and implementation of workshops to research and promote effective uses of the geographic information systems assets and tools to achieve economic and operational benefits from the Kansas one map resource.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "executive branch chief" and inserting "office of"; in line 2, by striking all before "transferring" and inserting "services; prescribing and"; in line 7, after "services;" by inserting "prescribing powers, duties and functions regarding geographic information, systems and services; establishing the Kansas geographic information systems policy board and the office of state geographic information systems officer;"; and **HB 2650** be passed as amended.

Committee report to **HB 2675** be adopted; and the bill be passed as amended.

On motion of Rep. LeDoux to amend **HB 2677**, the motion did not prevail; and the bill be passed.

Committee report to **HB 2558** be adopted; also, on motion of Rep. Ward to amend, Rep. Schwab requested a ruling on the amendment being germane to the bill. Rep. Ward subsequently withdrew his amendment; and the bill be passed as amended.

On motion of Rep. Scapa, **HB 2706** be amended on page 1, in line 15, after the period by inserting "If the value of the real property is over \$200,000 as determined by the county assessment value of such property, the judicial administrator may appoint three disinterested appraisers to determine the market-value appraisal of such real property."; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2729** be amended on page 2, in line 42, by striking "last"; in line 43, by striking all before the

period and inserting "date of expiration of the vehicle registration";

On page 5, in line 20, after "after" by inserting "January 1, 2013, and"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 177** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 177," as follows:

"HOUSE Substitute for SENATE BILL NO. 177

By Committee on Taxation

"AN ACT concerning taxation; relating to income and privilege tax rates; income tax deductions and credits and income determination; distribution of sales and use tax revenue; severance tax, exemptions; rural opportunity zones; amending K.S.A. 79-32,128 and 79-32,176 and K.S.A. 2011 Supp. 40-2246, 74-50,222, 79-1107, 79-1108, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,197, 79-32,205, 79-32,210, 79-3620, 79-3635, 79-3710 and 79-4217 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 177** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 53, by Representative DeGraaf, congratulating Wichita Homeschool Warriors Robotics Team on their years of excellence in national, statewide and regional competition;

Request No. 54, by Representative D. Gatewood, commending Chief Deputy Gary W. Allen on 29 years of service to the citizens of Cherokee County as Baxter Springs Chief of Police and Cherokee County Undersheriff;

Request No. 55, by Representative Moxley, congratulating the Kansas Forest Service on 125 years of service to the citizens of Kansas;

Request No. 56, by Representative Burroughs, commending Lieutenant Colonel Donald T. Taylor on 22 years of service to his country and the citizens of Kansas;

Request No. 57, by Representative Billinger, congratulating Everett Anderson on celebrating his 103rd birthday January 24, 2012;

Request No. 58, by Representative Grant, commending Kenneth Kays for receiving the 2012 Prudential Spirit Community Award;

Request No. 59, by Representative Kiegerl, congratulating Scott Coble on achieving the rank of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, in accordance with House Rule 2307, **H Sub for SB 225** was stricken from the Calendar.

Upon unanimous consent, the House referred back to the regular order of business,

Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2767, AN ACT concerning schools; enacting the Kansas education liberty program act; providing for educational scholarships; authorizing a tax credit, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2084**, **HB 2431**, **HB 2652**, **HB 2729** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2738** from Committee on Aging and Long-term Care and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2741**, **HB 2742** from Committee on Appropriations and rereferral to Committee on Judiciary.

MESSAGES FROM THE SENATE

Announcing passage of **SB 252**, **SB 298**, **SB 313**, **SB 334**, **SB 374**.

Announcing passage of **HB 2273**, **HB 2441**, **HB 2460** and **HB 2525**.

Announcing passage of **HB 2459**, as amended.

The Senate concurs in House amendments to **House Substitute for SB 118**.

The Senate concurs in House amendments to **SB 272**.

Also, announcing adoption of **HCR 5033**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were introduced and read by title:

SB 252, **SB 298**, **SB 313**, **SB 334**, **SB 374**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6014**—

By Representatives Meier, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff,

Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice by those in the United States Armed Forces who have given their lives in the line of duty.

WHEREAS, While war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, The Honor and Remember Flag, created by Honor and Remember, Inc., is officially recognized to honor fallen members of the United States Armed Forces; and

WHEREAS, The Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, The Honor and Remember Flag recognizes all individuals who have died as a result of serving in the United States military dating back to the founding of our nation. The flag serves as a symbol of national gratitude for the hundreds of thousands of brave American men and women who made the ultimate sacrifice to preserve the freedoms we enjoy; and

WHEREAS, The Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate the Honor and Remember Flag as the State of Kansas' emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the executive director of the Kansas Commission on Veterans' Affairs and Representative Meier.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **Sub HB 2166; Sub HB 2427; HB 2715, HB 2624, HB 2619; Sub HB 2159; HB 2618, HB 2638, HB 2629, HB 2655, HB 2313, HB 2212, HB 2646, HB 2627; Sub HB 2106; HB 2558, HB 2596, HB 2597, HB 2604, HB 2605, HB 2626, HB 2649, HB 2650, HB 2668, HB 2669, HB 2670, HB 2672, HB 2675, HB 2676, HB 2677, HB 2682, HB 2683, HB 2684, HB 2687, HB 2703, HB 2704, HB 2705, HB 2706, HB 2673** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2166, AN ACT concerning cities; relating to the publication of certain ordinances; amending K.S.A. 12-3001 and 12-3007 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Hoffman, LeDoux, Tyson.

Present but not voting: Burgess.

Absent or not voting: Grange.

The substitute bill passed.

Sub HB 2427, AN ACT concerning the Kansas open records act; relating to information concerning law enforcement officers; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The substitute bill passed.

HB 2715, AN ACT concerning elections and electioneering; amending K.S.A. 2011 Supp. 2-624 and 24-414 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Victors, Ward, Weber, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Burroughs, Carlin, Kuether, Lane, LeDoux, Tietze, Trimmer, Tyson, Wetta.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2624, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp. 19-101a and 79-4231 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2619, AN ACT concerning adult care homes; relating to licensure; amending K.S.A. 39-931a and K.S.A. 2011 Supp. 39-923 and 39-931 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

Sub HB 2159, AN ACT concerning physical therapists; evaluation and treatment of patients; amending K.S.A. 2011 Supp. 65-2921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The substitute bill passed, as amended.

HB 2618, AN ACT concerning the portable electronics insurance act; amending K.S.A. 2011 Supp. 40-5603, 40-5605 and 40-5607 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2638, AN ACT concerning the employment security law; pertaining to the state employee security advisory council; pertaining to benefits; pertaining to notice for experience ratings; pertaining to rates; amending K.S.A. 2011 Supp. 44-704, 44-710a, 44-710b and 44-714 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 39; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bethell, Bollier, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Roth, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange.
The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: If I can't pay my bills I stop frivolous spending. **HB 2638** does the complete opposite. Cutting business taxes when we are still borrowing money from the federal government to pay our bills is just irresponsible.

Apparently being "fiscally conservative" in Kansas means cutting taxes for businesses without regard for the consequences. I vote no on **HB 2638**. – MIKE SLATTERY, SEAN GATEWOOD, KATHY WOLFE MOORE, SYDNEY CARLIN

HB 2629, AN ACT concerning the Kansas product liability act; relating to a product liability claim arising from an alleged defect in a used product; amending K.S.A. 60-3306 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, S. Gatewood, Henderson, Kuether, Lane, Peterson, Ruiz, Slattery, Tietze, Winn.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2655, AN ACT concerning crimes and punishments; relating to interference with judicial process; amending K.S.A. 2011 Supp. 21-5905 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb,

Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Lane.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2313, AN ACT concerning civil procedure; relating to social and rehabilitation services; amending K.S.A. 60-1501 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kuether.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2212, AN ACT concerning property taxation; relating to revenues produced by property tax levies; mill levy adjustments; resolutions, publication requirements; amending K.S.A. 2010 Supp. 79-2925b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M.

Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Suellentrop.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2646, AN ACT concerning cities; relating to abandoned property and qualifications thereof; amending K.S.A. 2011 Supp. 12-1750 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Patton, Tyson.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2627, AN ACT concerning certain deductions from wages; amending K.S.A. 2011 Supp. 44-319 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 31; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton,

Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Williams, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

Sub HB 2106, AN ACT concerning real property; relating to trespass and liability; exceptions; amending K.S.A. 58-3201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlson, Flaharty, Kuether, Lane, Winn.

Present but not voting: None.

Absent or not voting: Grange.

The substitute bill passed, as amended.

HB 2558, AN ACT concerning workers compensation; pertaining to the administration of the state workers compensation self-insurance fund; pertaining to the state workplace health and safety program; pertaining to certain time limitation on filing; pertaining to duties of the secretary of labor; amending K.S.A. 44-512, 44-557, 44-578 and 74-712 and K.S.A. 2011 Supp. 2-224a, 44-523, 44-532a, 44-575 and 44-577 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 34; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill,

Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2596, AN ACT repealing K.S.A. 2011 Supp. 74-509; concerning the duties of the irrigation commissioner, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2597, AN ACT repealing K.S.A. 2-1426 and K.S.A. 2011 Supp. 2-1424a and 2-1425; concerning agricultural seeds; relating to a seed laboratory, seed testing, the seed examination fee fund, and publication reports of inspections and exams, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke,

Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2604, AN ACT repealing K.S.A. 2011 Supp. 2-1233; concerning fertilizer and pesticide compliance and administration fund, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2605, AN ACT repealing K.S.A. 2-2465; concerning the pest control operators' fee fund, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb,

Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2626, AN ACT repealing K.S.A. 83-139 and 83-140; concerning fraudulent practices selling grain, seed, hay or coal; relating to penalties, civil liability and attorney fees, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2649, AN ACT repealing K.S.A. 24-105, 82a-312, 82a-313 and 82a-314 and K.S.A. 2011 Supp. 82a-735; concerning water, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller,

McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2650, AN ACT concerning the office of information technology services; prescribing and transferring certain powers, duties and functions of the director of information systems and communications, the division of information systems and communications and the secretary of administration to the executive chief information technology officer and the office of information technology services; prescribing powers, duties and functions regarding geographic information, systems and services; establishing the Kansas geographic information systems policy board and the office of state geographic information systems officer; amending K.S.A. 48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-9303, 74-9306, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-4704, 75-4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715, 75-4716, 75-6512 and 76-389 and K.S.A. 2011 Supp. 46-1503, 74-9304, 75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 12; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Davis, Feuerborn, D. Gatewood, S. Gatewood, Kuether, McCray-Miller, Phelps, Slattery, Tietze, Trimmer, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2668, AN ACT repealing K.S.A. 19-322; concerning the recording of farm names, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2669, AN ACT repealing K.S.A. 19-901, 19-902, 19-903 and 19-904; concerning matron of a county jail, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Frownfelter, Lane, LeDoux, Mast.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2670, AN ACT repealing K.S.A. 79-414; concerning certain duties of the county clerk, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers,

Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2672, AN ACT repealing K.S.A. 19-825; concerning the vacating and reinstating of a sheriff for failing to perform certain duties, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brown, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Bruchman, LeDoux, Meier, Patton, Pauls.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2675, AN ACT concerning county clerks and county appraisers; amending K.S.A. 79-408 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood,

Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2676, AN ACT repealing K.S.A. 2011 Supp. 79-409; concerning requirement property owners provide description of property to county clerk. , was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2677, AN ACT dealing with county appraisers; amending K.S.A. 19-430 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke,

Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, LeDoux, Meier, Vickrey, Winn.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2682, AN ACT repealing K.S.A. 75-52,119, 75-52,120 and 75-52,121; concerning the purchase of real estate by the secretary of corrections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2683, AN ACT concerning the director of penal institutions; amending K.S.A. 22-3416 and repealing the existing section; also repealing K.S.A. 75-5207, 75-5208 and 75-5213, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M.

Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2684, AN ACT repealing K.S.A. 74-7402, 74-7403, 74-7404, 74-7406 and 74-7407; concerning the ombudsman of corrections; relating to the repeal of outdated sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: LeDoux.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2684**. Generally, I am very supportive of repealing statutes. However, in this case I do not agree. In the dictionary "ombudsman" is defined as "a government official who investigates citizens' complaints against the government or its functionaries". In my view, there is a need for a person whose job it is to investigate citizen complaints this department. I vote against repealing the ombudsman position. – TRENT LEDOUX

HB 2687, AN ACT concerning the state building advisory commission; relating to reports and recommendations on state capital improvement budget estimates; amending

K.S.A. 46-1702 and K.S.A. 2011 Supp. 75-3717b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Kuether, Mah.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2703, AN ACT repealing K.S.A. 75-4602, 75-4607, 75-4615 and 75-4616 and K.S.A. 2011 Supp. 75-4603; relating to establishment and operation of a motor pool for state agencies, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2704, AN ACT repealing K.S.A. 75-5262, 75-5263, 75-5264 and 75-5265 ; concerning the Topeka correctional facility, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2705, AN ACT concerning the joint committee on state building construction; relating to monthly reports of progress; amending K.S.A. 2011 Supp. 75-1264 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, D. Gatewood, S. Gatewood, Kuether, Lane, Mah, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

HB 2706, AN ACT concerning appraisal of real property prior to state purchase or

disposition; amending K.S.A. 75-3043a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 17; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, Feuerborn, Flaharty, D. Gatewood, S. Gatewood, Grant, Henderson, Kuether, Lane, Mah, McCray-Miller, Peterson, Phelps, Tietze, Victors, Ward.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed, as amended.

HB 2673, AN ACT repealing K.S.A. 2011 Supp. 44-611, 44-621 and 44-624; concerning powers and duties of the secretary of the department of labor, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs, Henderson, Lane, Winn.

Present but not voting: None.

Absent or not voting: Grange.

The bill passed.

In accordance with House Rule 1507, the following bills were stricken from the Calendar:

HB 2224, HB 2232, HB 2439, HB 2506, HB 2519, HB 2530, HB 2551.

REPORT ON ENGROSSED BILLS

HB 2435, HB 2534, HB 2562, HB 2599 reported correctly engrossed February 22, 2012.

Also, **HB 2417, HB 2437, HB 2533, HB 2557, HB 2637, HB 2647, HB 2666, HB 2730** reported correctly engrossed February 23, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, February 29, 2012.

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 29, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Reps. Dillmore, LeDoux and B. Wolf were excused on verified illness.

Reps. Aurand, Bollier, Mesa and Peterson were excused on excused absence by the Speaker.

Prayer by Rabbi Zalman Tiechtel, The Rohr Chabad Center for Jewish Life, Lawrence, guest of Rep. Gordon:

Almighty G-d, Master of the Universe.

The members of this honorable House of Representatives of the State of Kansas, gather here today to do the people's business in good faith and with selfless dedication. In doing so, they fulfill a fundamental precept, which, according to sacred Biblical tradition, You first issued to Adam at the time of his creation and to Noah after the Great Flood - the commandment to govern by just laws.

At mankind's beginning, You issued forth seven universal commandments for all humanity to heed, which came to be known as the "Seven Noahide Laws". The last of those precepts is that every society legislate for itself a system of law, order and social justice, based on the recognition and acknowledgment of You, Almighty God, as the Sovereign ruler of all men and of all nations.

Almighty God, you created us all in love. Teach us to love all that is good and beautiful in this world.

Teach us to honor the dignity of difference, recognizing that one that is not in our image is nonetheless in your image. Never forgetting that the people not like us, are still people, Like us.

At this fateful moment in the human story, bless us all, that we may be a blessing to others.

Guide the nations of the world to honor you by honoring one another. So that by reaching out in love, we may turn enemies into friends and become your family on earth as you are our parent in heaven.

Beloved g-d, bless the members of this House of Representatives and guide their deliberations, that they may govern this great state with wisdom and justice, grace and compassion, bringing honor to your name and your blessing to humankind.

May they contemplate and bear in mind, as they engage in the enactment of just and benevolent law and public policy, that in doing so, they are fulfilling Your Godly will. Amen.

The Pledge of Allegiance was led by Rep. Hedke.

Kansas Trivia Question – What is the smallest county by area in Kansas?

Answer: Wyandotte - which measures 151 square miles.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Ballard, Finney, McCray-Miller and Winn are spread upon the Journal:

We stand before you this morning to recognize four distinguished individuals on this last day of Black History Month. All of our history is important and each of us has a story to tell.

Rep. McCray-Miller introduced Colonel George M. Boyd and presented him with a framed House Certificate in recognition of his service with the United States Air Force in WWII, the Korean War, Vietnam and as a Tuskegee Airman. Rep. Finney also extended her welcome to him.

Rep. Winn, on behalf of Rep. Henderson, introduced Joe Jennings and Chester C. Owens, Jr. Mr. Jennings was recognized for his significant contribution to vocational education as a former AVTS instructor and for his community supported agriculture. He is the “Best Urban Farmer” in Kansas. Mr. Owens was recognized for outstanding leadership and contributions in advancing the cause of civil rights for all Kansans and for being the first African American in Kansas City, Kansas elected to city government in the 20th century. Mr. Jennings and Mr. Owens were presented with framed House Certificates.

Rep. Ballard introduced La Merle McCoy and presented her with a framed House certificate.

La Merle has volunteered hundreds of hours to community organizations in over 65 years of public service and community involvement. The Douglas County United Way presented “Mom” McCoy with the prestigious Wally Galluzzi Volunteer of the Year Award for helping to provide quality child care development, a food pantry for those in need, a site for meals on wheels and senior day care services.

Mom McCoy is 95 years old. Almost 10 years ago, Mom McCoy's daughter, Suneetta passed away and left two daughters, JaSu and Faith. “Grammy” raised her two grandchildren, and is the proud great-grandmother of two grandsons. Mom McCoy is dedicated to her church, Praise Temple Church of God In Christ. She is an Evangelist Missionary and Mother of the Church, and recently wrote a book, “Quips, Quotes and Clichés” to help raise money for her church. It is my honor to recognize Mom La Merle McCoy.

Our honorees have served their communities and continue to make a difference in the lives of others. In closing, I would like to share a quote from Shirley Chisholm, the first black woman elected to Congress from Brooklyn, New York. She wrote that "Service is the rent we pay for occupying space on earth." We believe our honorees have paid their rent for many, many years. Please join us in recognizing our honored guests this morning.

On motion of Rep. Siegfried, the House recessed until 11:50 a.m.

LATE MORNING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 252**.

Energy and Utilities: **SB 374**.

Federal and State Affairs: **SB 313**.

Taxation: **HB 2767**.

Transportation: **SB 298, SB 334**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2498** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2634, HB 2645** from Committee on Appropriations and referral to Committee on Education Budget.

Also, the withdrawal of **HB 2674** from Committee on Appropriations and rereferral to Committee on Transportation and Public Safety Budget.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Moxley, **HR 6005**, A resolution recognizing the Commissioner of Forestry and the Kansas Forest Service, Kansas State University for providing 125 years of dedicated forestry services to the owners, managers and stewards of the state's forest, trees, natural resources and related industries, was adopted.

There being no objection, the following remarks of Rep. Moxley are spread upon the Journal:

Today we are celebrating the 125th Anniversary of the Kansas Forest Service. The Forest Service was established in 1887 for the purpose of promoting the science of forestry.

Kansas Forest Resources: Five million acres, native, community, riparian, windbreak, shelterbelt, and fence row trees and forests.

Customers: 101,000 private forest landowners; 636 incorporated communities; 593 volunteer fire districts; forest product processors; timber buyers; Christmas tree growers; arborists; conservation tree customers.

Kansas forests are critical to public health and well-being, filtering air and water; stabilizing stream banks and providing wildlife habitat.

Kansas forests are under threat and in need of protection from Thousand Cankers disease of black walnut, Emerald Ash Borer and Pine Wilt disease.

Kansas forests support 2400 forest industry jobs associated with a \$355 million forest products industry, 240 certified arborists associated with a \$60 million arboriculture industry and the Kansas Forest Service supports 13,500 volunteer fire fighters contributing over \$60 million of service time value.

Notably the Kansas Forestry Service Fire Program supports 593 fire districts, 13,500 Volunteer Fire Fighters Wildfire Training, education and equipment services.

Rep. Moxley introduced Bob Atchison who is in charge of the Rural Forestry Program and Tim McDonald who is in charge of the Community Forestry Program. They were presented with a framed House Certificate.

MESSAGE FROM THE GOVERNOR

February 24, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-02 for your information.

EXECUTIVE ORDER 12-02 FOR REGIONAL EMERGENCIES
Conditional and Temporary Relief from Motor Carrier Rules and Regulations

SAM BROWNBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE GOVERNOR

HB 2428, HB 2490 approved on February 29, 2012.

MESSAGES FROM THE SENATE

Announcing passage of **SB 310, SB 330, SB 367, SB 394, SB 416, SB 417.**

Announcing **HCR 5007** was not adopted.

Also, announcing passage of **SB 69; Sub SB 148; SB 262, SB 269, SB 276, SB 277, SB 288, SB 301, SB 302, SB 342, SB 345, SB 358, SB 384, SB 387; Sub SB 393; SB 419.**

Also, announcing passage of **Sub SB 39; Sub SB 64; SB 273; Sub SB 282; Sub SB 283; SB 287, SB 315, SB 326, SB 366, SB 372, SB 375, SB 407, SB 422.**

Also, announcing passage of **SB 304, SB 322, SB 357, SB 406, SB 424, SB 425.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 39; Sub SB 64; SB 69; Sub SB 148; SB 262, SB 269, SB 273, SB 276, SB

277; Sub SB 282; Sub SB 283; SB 287, SB 288, SB 301, SB 302, SB 304, SB 310, SB 315, SB 322, SB 326, SB 330, SB 342, SB 345, SB 357, SB 358, SB 366, SB 367, SB 372, SB 375, SB 384, SB 387; Sub SB 393; SB 394, SB 406, SB 407, SB 416, SB 417, SB 419, SB 422, SB 424, SB 425.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side in the passage of **HB 2212** under that order of business, Emergency Final Action (see House Journal, page 1954), Rep. Carlson moved that the House of Representatives reconsider its action. The motion prevailed and the bill was returned to that order of business, Emergency Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2212, AN ACT concerning property taxation; relating to revenues produced by property tax levies; mill levy adjustments; resolutions, publication requirements; amending K.S.A. 2010 Supp. 79-2925b and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 83; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Burroughs, Carlin, Davis, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Patton, Pauls, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Nays: Alford, Arpke, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Mast, McLeland, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Peck, T. Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, K. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Bollier, Dillmore, LeDoux, Mesa, Peterson, Sloan, B. Wolf.

The bill did not pass.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2212** because of the lack of candor from the carrier of the amendment during debate last week. While I originally voted yea because I support lowering property taxes for Kansans, accountability and transparency are important in the legislative process. My no vote today is about requiring honesty throughout the legislative process and in the future I will continue to fight for property tax relief. – SHARON SCHWARTZ, PEGGY MAST, JOE SEIWERT, DON HINEMAN, TOM ARPKE, JIM KELLY, DENNIS HEDKE, GENE SUELLENTROP, WILLIE PRESCOTT, MARIO GOICO, RANDY GARBER, BRIAN WEBER, SCOTT SCHWAB, GREGORY SMITH, S. MIKE KIEGERL, CARYN TYSON, JIM HOWELL, TERRLOIS

GREGORY, STEVE HUEBERT, LESLIE OSTERMAN, JAMES FAWCETT, AMANDA GROSSERODE, KELLY MEIGS, BRETT HILDABRAND, JIM DENNING

REPORT ON ENGROSSED BILLS

Sub HB 2106; Sub HB 2159; HB 2212, HB 2313, HB 2558, HB 2627, HB 2629, HB 2638, HB 2646, HB 2650, HB 2655, HB 2675, HB 2706, HB 2715 reported correctly engrossed February 28, 2012.

REPORT ON ENROLLED BILLS

HB 2428, HB 2451, HB 2490 reported correctly enrolled, properly signed and presented to the Governor on February 24, 2012.

REPORT ON ENROLLED RESOLUTIONS

HCR 5017 reported correctly enrolled and properly signed on February 29, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, March 1, 2012.

Journal of the House

THIRTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 1, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Reps. LeDoux and B. Wolf were excused on verified illness.

Rep. Goico was excused on legislative business.

Reps. Bollier, Brookens, Burgess and Peterson were excused on excused absence by the Speaker.

Prayer by guest chaplain, CH (COL) Lawrence Dennis, Fort Riley:

Almighty God,

I thank you for this day and the opening of another legislative session. Thank you for the great state of Kansas and our Nation, both built on the preserving faith and commitment of its people. You have blessed Service Members and their Families through the faithful support of this State's Citizens.

I pray for the people of Harveyville and other tornado victims. Bless them with renewed strength as they mourn and begin rebuilding.

I pray these legislators will have open hearts and minds to the issues facing their state. Give them courage and wisdom to act in ways to fulfill their elected mission.

May your blessings be evermore evident to Kansans today and to the rest of America.

In your Holy Name I pray. Amen.

The Pledge of Allegiance was led by Rep. Osterman.

Kansas Trivia Question – What Civil War general, whose last words were supposedly "they couldn't hit an elephant from this distance," met his end at the Battle of Spotsylvania and has a Kansas county named after him?

Answer: Major General John Sedgwick

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Meier are spread upon the Journal:

In his speech announcing the formation of Armed Forces Day, President Truman praised the work of the military services at home and across the seas. He said each branch is "vital to the security of the nation and to the establishment of a desirable peace."

Armed Forces Day was created in 1949 following the consolidation of the military services in the Department of Defense to honor Americans serving in the five U.S. military branches – the Army, Navy, Marines, Air Force, and Coast Guard. This morning, our Governor has signed a proclamation designating today, Thursday, March 1st, 2012, as Kansas Armed Forces Appreciation Day.

Today, 63 years after the formation of the Department of Defense and the first Armed Forces Day, the United States military service members are standing ever vigilant at their posts around the world to keep us safe. The military of the United States is deployed in more than 150 countries and they are working here at home to protect America from threats foreign and domestic. They are risking their lives in the mountains of Afghanistan. They are serving bravely providing security and peacekeeping missions in places like Djibouti, Kenya, Kosovo and the Sinai. They provide humanitarian assistance where the world, our nation, and Kansas have dire need. The Members of our Armed Forces are forging a better future for our Nation and the world.

Today, the National Guard and Reserve not only continue their support to emergencies at home and to active duty units that deploy, but are also deployed themselves. Kansas guardsmen and women make the extra sacrifice of leaving their full time jobs to deploy and their families are not afforded the support that military families on an active duty post receive.

This brings me to another group which deserves special thanks—the spouses of our service members, spouses who take care of the families and raise the children while their service members are at sea or stationed far away, and spouses who have left our shores to be in a faraway land with their service members. As the members of our all volunteer force carry out their missions, their families make their own sacrifices. Military families make a vital contribution to our nation in the support they give to our men and women in uniform. If they were unwilling to endure the absences, the moves between duty stations, and the worry, our service members would not be able to give their full attention to their missions.

The Soldiers, Sailors, Airmen, Marines, and Coastguardsmen who have answered the call to service deserve recognition and gratitude. They have endured the most difficult of conditions to protect America and her highest ideals.

I invite any Representative who has ever served in our Armed Forces to stand and any Representative who is a spouse of someone who served to stand.

Please join me on this special day -- Armed Forces Appreciation Day - and say thank you to those great Americans who proudly serve this great nation by volunteering to serve in our military!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2768, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2012, June 20, 2013, and June 30, 2014, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **Sub SB 148; SB 302, SB 310, SB 357, SB 375.**

Appropriations: **SB 425.**

Commerce and Economic Development: **SB 301, SB 416.**

Corrections and Juvenile Justice: **SB 39, SB 394.**

Education: **SB 69; Sub SB 393.**

Energy and Utilities: **SB 384, SB 406, SB 419.**

Federal and State Affairs: **SB 269, SB 276, SB 277, SB 288, SB 358, SB 387.**

Financial Institutions: **Sub SB 64; SB 287, SB 315, SB 345, SB 372.**

General Government Budget: **SB 417.**

Health and Human Services: **SB 326, SB 407.**

Insurance: **SB 273.**

Judiciary: **SB 262; Sub SB 282; Sub SB 283; SB 304, SB 322, SB 330, SB 366, SB 367, SB 422, SB 424.**

Transportation: **SB 342.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2018** from Committee on Appropriations and rereferral to Committee on Education.

Also, the withdrawal of **HB 2425** from Committee on Appropriations and rereferral to Committee on Elections.

Also, the withdrawal of **HB 2457, HB 2573, HB 2633** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2497, HB 2602** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2634** from Committee on Education Budget and rereferral to Committee on Education.

Also, the withdrawal of **HB 2767** from Committee on Taxation and referral to Committee on Education Budget.

COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Director, State Employee Health Benefit Plans, Division of Health Care Finance, Kansas Department of Health and Environment, in compliance with 2010 S Sub for HB 2160, Kansas State Employees Health Care Commission Report relating to Autism Spectrum Disorder.

MARCH 1, 2012

1979

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

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Friday, March 2, 2012.

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 2, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 109 members present.

Reps. LeDoux, B. Wolf and K. Wolf were excused on verified illness.

Reps. Seiwert and Spalding were excused on legislative business.

Reps. Aurand, Ballard, Bollier, Brookens, Brunk, Donohoe, Kiegerl, McLeland, Montgomery, Moxley and Proehl were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Dave DePue, State Director, Kansas Capitol Commission, Topeka:

Father God, like your servant Solomon we look out over the millions of Your people that we are charged with governing: We realize the burden is too great for any one of us.

We remember that Solomon asked You for wisdom so that he could discern between right and wrong. Lord, You were impressed that Solomon did not ask for riches for himself, but wisdom to govern.

You gave this wisdom in abundance to Solomon through Your Word. You offer this wisdom to these in this House of Representatives. Here we are, receiving Your Word and acquiring wisdom and discernment on the matters before us today.

Now we can proceed to judge the merits of these policy questions before us: Questions regarding alcoholic beverages, defense, education, employment, finance, property and taxes.

Now Lord, I close by reminding these precious ones here of Your promise to Solomon and to us that if we walk in Your ways, keeping Your statutes and commandments, then You would prolong our days!

I hear and accept this promise in the Name of Your Son, Jesus. Amen.

The Pledge of Allegiance was led by Rep. Mah.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2769, AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2011 Supp. 79-201a and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2768**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2410** from the Calendar under the heading General Orders and rereferral to Committee on Appropriations.

Also, the withdrawal of **Sub HB 2431** from Committee on Appropriations and rereferral to Committee on Transportation.

Also, the withdrawal of **HB 2508** from Committee on Insurance and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2697**, **HB 2738** from Committee on Appropriations and rereferral to Committee on Aging and Long-term Care.

Also, the withdrawal of **HB 2729** from Committee on Appropriations and rereferral to Committee on Agriculture and Natural Resources.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6015**—

A RESOLUTION commemorating the 75th anniversary of the Wildlife and Sport Fish Restoration Program.

WHEREAS, More than a century ago, hunters, anglers and trappers were among the first conservationists who realized America's natural resources were in peril and could not sustain unregulated harvest and habitat destruction; and

WHEREAS, Hunters, anglers and trappers, with other conservationists and ammunition companies, took it upon themselves to support laws to end the excessive harvest of fish and wildlife; and

WHEREAS, The first law supporting the Wildlife and Sport Fish Restoration Program was created on September 2, 1937, when President Franklin D. Roosevelt signed the Federal Aid in Wildlife Restoration Act, which raises funds through a dedicated excise tax on sporting guns and ammunition. In 1950, the Federal Aid in Sport Fish Restoration Act was enacted and added to the wildlife and sport fish restoration program. Through this law, funds are provided for fish conservation and boating and fishing recreational programs in each state through an excise tax placed on certain fishing and boating equipment and fuels; and

WHEREAS, Since its 1937 inception, the Wildlife and Sport Fish Restoration Program has provided more than \$14 billion to support fish and wildlife restoration and management; and

WHEREAS, For 75 years, the Wildlife and Sport Fish Restoration Program has been

driving the restoration and management of our fish and wildlife resources. It has been justly called the most successful conservation management program in the world. America's hunters, shooters and anglers should be proud that they have held the program on their shoulders for 75 years; and

WHEREAS, The House of Representatives of the state of Kansas recognize that the primary authority to protect and manage fish and resident wildlife within their borders rests in the state fish and wildlife agencies: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the House of Representatives of the state of Kansas recognize America's sportsmen and sportswomen; hunting, shooting, angling and boating industries; state fish and wildlife agencies; and the U.S. Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife and other natural resources, both game and non-game, to the abundance we see today through the Wildlife and Sport Fish Restoration Program in this 75th anniversary year of America's greatest conservation story; and

Be it further resolved: That an enrolled copy of this resolution be provided to the Kansas Department of Wildlife, Parks and Tourism Operations Office, the U.S. Fish and Wildlife Service, all Kansas Congressional offices and local, regional and national media sources.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 60, by Representatives Winn and Henderson, congratulating Chester C. Owens, Jr. on his outstanding leadership and contributions in advancing the cause of civil rights for all Kansans. Also, for being the first African American in Kansas City, Kansas in the 20th century to be elected to city government;

Request No. 61, by Representatives Winn and Henderson, congratulating Joe Jennings, J-14 Agricultural Enterprises, on his significant contribution to vocational education as a former AVTS instructor and for his community supported agriculture. He is the "Best Urban Farmer" in Kansas;

Request No. 62, by Representative Seiwert, commending St. Patrick Catholic Elementary School for receiving the Governor's Achievement Award for 2010-2011;

Request No. 63, by Representatives McCray-Miller and Finney, commending Colonel George M. Boyd, CAP for service with the USAF in WWII, the Korean War and Vietnam and his distinguished service as a Tuskegee Airman;

Request No. 64, by Representative Ballard, commending La Merle McCoy for over 65 years of exemplary leadership and public service, volunteering to community organizations and her church, serving as an Evangelist Missionary and Mother of the Church;

Request No. 65, by Representative DeGraaf, congratulating David Alexander on outstanding leadership of the Wichita Homeschool Warriors Robotics Team to multiple 1st place finishes at both state and national levels;

Request No. 66, by Representative Ballard, congratulating Bob and Gladys Sanders on celebrating their 50th wedding anniversary;

Request No. 67, by Representative Ballard, congratulating Jose' and Irene Minjares on celebrating their 50th wedding anniversary;

Request No. 68, by Representative Vickrey, congratulating Jason Nelson of Louisburg High School 2012 Teacher of the Year;

Request No. 69, by Representative Vickrey, congratulating Darline Carter, CNA/CMA Paola Vintage Park the Boyd W. Hendrickson "Making a Difference" Annual Caregiver Award;

Request No. 70, by Representative Vickrey, congratulating Beth Dixon of Rockville Elementary School as 2012 Teacher of the Year;

Request No. 71, by Representative Kelly, congratulating Sedan High School Baseball Team on winning the 2011 Class 2-1A State Baseball Championship;

Request No. 72, by Representative Kelly, commending Mercy Hospital of Independence and the Religious Sisters of Mercy for 85 years of providing for the medical and spiritual needs of the citizens of Independence and Southeast Kansas;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2770, AN ACT relating to the office of the securities commissioner of Kansas; relating to duties and establishing certain special revenue funds and prescribing functions therefor; employees of the securities commissioner; relating to the Kansas uniform securities act; amending K.S.A. 17-12a101, 17-12a102 and 17-12a410 and K.S.A. 2011 Supp. 17-12a601 and 75-6301 and repealing the existing section, by Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Committee on **Transportation and Public Safety Budget** recommends **HB 2743**, (Corrected), be passed.

REPORT ON ENROLLED BILLS

HB 2273, **HB 2441**, **HB 2460**, **HB 2525** reported correctly enrolled, properly signed and presented to the Governor on March 2, 2012.

REPORT ON ENROLLED RESOLUTIONS

HCR 5033 reported correctly enrolled and properly signed on March 1, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, March 5, 2012.

Journal of the House

THIRTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 5, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Rep. LeDoux was excused on verified illness.

Reps. Mesa, Powell, Seiwert and Sloan were excused on legislative business.

Reps. Slattery and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Dear Lord,
As we begin this week,
Help us to avoid...
worrying about things over which we have no control;
harboring resentment and anger over hurts real or imagined;
disdaining the ordinary...or what we might call ordinary;
focusing on what's in it for me, rather than what's in me for it;
failing to appreciate what *is* because of might-have-beens,
should-have-beens, or could-have-beens.
To do otherwise wastes time and energy and is non-productive.
May our time, work, words and actions
count for qualitative solutions.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. DeGraaf.

Kansas Trivia Question – A town in Kansas was named for this self-taught civil engineer who built bridges, four Kansas railroad lines, and gliders. What was his name?

Answer: Octave Chanute (1832-1910)

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Gregory are spread upon the Journal:

It is with great pride I bring the Baldwin City High School **Real World Design Challenge** Team again this year to recognize their 4th consecutive State Championship.

The **Real World Design Challenge** is an annual competition that provides high school students the opportunity to work on real world engineering challenges confronting the

aviation industry as a team.

This year's challenge was to design an efficient, low-carbon-emission and environmentally friendly personal light sport aircraft that could accommodate two team members and fly 200 miles in less than two hours at a cruise altitude of 1,000 feet above ground level minimum. The name "The Spirit of Baldwin City" comes from using the same air foil wing design of "The Spirit of St. Louis". This would normally be a senior engineering project.

The winning team members of "Kansas Tornados" are 11th graders Kaitlyn Barnes, Abby Clem, Carrie Deitz, Mackenzie Johnson, Austin Kraus, and 9th grader Quint Heinecke. The team's coach is Pam Davis and their mentors are Sandy Barnes, Ottawa; Mark Beyer, Wichita; Dr. Brandon Buerge, Newton; and Chris Hedden, Lawrence, and Susan Christensen. Paul Dorothy is the Superintendent of Schools.

The team will represent Kansas again in the national competition April 21st at the Smithsonian Air and Space Museum in Washington, D.C. Last year's team won 3rd in the nation, and the 2010 team brought home the National Championship.

Join me in congratulating the team as state champions and wishing them success in Washington DC!

Rep. Gregory presented the team and coach with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Taxation: **HB 2769**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2260** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2652** from Committee on Appropriations and rereferral to Committee on Education Budget.

Also, the withdrawal of **HB 2662** from Committee on Appropriations and rereferral to Committee on Local Government.

MESSAGE FROM THE GOVERNOR

March 2, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-03 for your information.

EXECUTIVE ORDER No. 12-03
Concerning Suspension of Regulations for Disaster Victims

SAM BROWNBACK
Governor

MESSAGE FROM THE GOVERNOR

HB 2451 approved on March 5, 2012.

COMMUNICATIONS FROM STATE OFFICERS

From Rep. Carl Dean Holmes, chairperson, Kansas Electric Transmission Authority, 2011 Annual Report to the Governor and the Legislature.

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

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2771, AN ACT concerning crimes, criminal procedure and punishment; relating to appeals; trials; violations of the uniform act regulating traffic on highways; amending K.S.A. 12-4601 and K.S.A. 2011 Supp. 22-3424, 22-3436, 22-3609 and 74-7301 and repealing the existing sections, by Committee on Federal and State Affairs.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 270** be passed.

Committee on **Federal and State Affairs** recommends **HB 2694** be amended on page 1, in line 11, by striking "and of prayer and meditation is reflected in" and inserting "is guaranteed by"; in line 12, after "and" by inserting "is reflected"; in line 17, by striking "an all faiths"; in line 18, by striking "chapel" and inserting "a capitol prayer and meditation room";

Also on page 1, following line 19, by inserting:

"(c) All costs associated with the construction, remodeling and furnishing of such prayer and meditation room shall be paid for by private donation. All donations shall either be made by anonymous means or, if not made by anonymous means, the names of such donors shall be kept confidential.

Sec. 2. There is hereby established in the state treasury the private donations capitol prayer and meditation room fund which shall be administered by the secretary of administration. All expenditures from such fund shall be for the construction, remodeling and furnishing of the capitol prayer and meditation room with the approval of the legislative coordinating council. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or the designee of the secretary.

All private moneys received by the secretary of administration for the construction, remodeling and furnishing of the capitol prayer and meditation room shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the private donations capitol prayer and meditation room fund.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "an all faiths chapel" and inserting "a capitol prayer and meditation room"; and the bill be passed as amended.

REPORT ON ENROLLED RESOLUTIONS

HR 6005 reported correctly enrolled and properly signed on March 5, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, March 6, 2012.

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 6, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 120 members present.

Reps. LeDoux and Ruiz were excused on verified illness.

Rep. Seiwert and Sloan were excused on legislative business.

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

Prayer by Chaplain Brubaker:

Our Redeemer Lord,
At the beginning of Christ's Sermon on the Mount,
He emphasizes the importance on
BEING rather than doing –
thus they are called the BE-attitudes – not Do-attitudes.
So give us wisdom and courage to be poor in spirit
in a world that glorifies power and fame.
Give us wisdom and courage to mourn,
because we know you are with us always.
Give us wisdom and courage to remain meek,
and to be mindful of the truth that all we have
and all we accomplish comes through You.
Give us the wisdom and courage to always do what is right,
even when what is right is not what is popular or easy.
Give us the wisdom and courage to be merciful,
even when it is difficult to forgive.
Give us the wisdom and courage to be pure of heart,
even when we feel overwhelmed by a thirst for power.
Give us wisdom and courage to be peacemakers,
in a world torn apart by competition and fighting.
Jesus, give us wisdom and courage to remain strong,
as we attempt to BE all that You want us to be.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Goodman.

Kansas Trivia Question – Which county has the distinction of being Kansas's flattest, with an east to west change in elevation of only 100 feet?

Answer: Haskell County

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kelly are spread upon the Journal:

It is a pleasure for me to have as my guest today the Sedan High Blue Devil Baseball team, the 2011 Class 2-1A State Champion with a perfect 26 – 0 record on the season that culminated with a come from behind 11 -10 victory over Pittsburg Clogan, the 2-1A champion for the previous seven years. This championship was the first for Sedan since 1973, and the first for 19 year veteran Sedan head coach Rick Chrisman.

Sedan won game one in Emporia on Friday evening over Mission Valley 11-7. Then in the first game on Saturday they came from behind to defeat league opponent Flint Hills 7-6 in extra innings. This win put Sedan into the state championship game against Pittsburg/Colgan. Because of weather conditions in the area the game was moved up and Sedan had to play back-to-back games and they immediately fell behind 5-0. Sedan battled back and the teams were tied going into the 8th, but in the top of the 8th Colgan all but put them away scoring 3 runs taking a 10-7 lead. However, true to form Sedan then scored 4 runs in the 9th to win the championship in an exciting manner with a suicide-squeeze to bring home the winning run from 3rd for the 11 -10 title game victory.

On the floor with me today I have head coach Rick Chrisman, Assistant Coach Mick Holt, bat boy Zach Chrisman and the four seniors Brady McCoy who was an All-State 1st team pitcher who recorded all 3 wins in the state tournament; Casey Holt also a 1st team All-State pitcher who never lost a game on the mound in his career at Sedan; Kolby Gorby another All-State 1st team outfielder who set the single-season home run record this year with 10 Home Runs; and Andrew Bell who scored one of the runs in the 8th against Colgan. In the galley please salute the rest of the Sedan Blue Devil team and all of those who came with them today to celebrate their championship.

Congratulations to the Sedan High School Blue Devils for their perfect season in route to the 2011 Class 2-1A State baseball championship. A great season ... and a job well done.

Rep. Kelly presented a framed House certificate to the team and coach.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Kerschen, Phillips and Carlin are spread upon the Journal:

Remarks by Rep. Kerschen: The College of Agriculture has a long history of academic excellence at Kansas State University. The K-State Crops team has captured the title of national champion for the third year in a row. K-State teams have now won the championship in ten of the past thirteen years.

To win the 2011 national championship, the team won both Kansas City Board of Trade and Chicago CME Group Collegiate Crops Contests. K-State placed first at both contests in the plant and seed identification and seed analysis components of the competition.

Remarks by Rep. Phillips: Students competing at both contests included Scott Henry, senior, Goff; Levi Larkins, senior Belvue; Chelsea Ahlquist, sophomore, Onaga; and Kim Kerschen, senior, Garden Plain, who was an alternate. Also competing as alternates in Kansas City were Michael Welch, sophomore; Haddam; Andrew Scherrer, sophomore; Matheson, CO; Neal Kaiser, sophomore, Lehigh; Hannah Christen, junior, Oregon, IL. All are agronomy majors at K-State.

In these contests, participants are required to identify 200 different plant or seed samples of crops and weeds; grade eight different samples of grain according to Federal Grain Inspection Service standards; and analyze ten seed samples to determine what contaminants they contain.

Chelsea Ahlquist, Scott Henry, and Levi Larkins all received high individual honors at the competitions.

Remarks by Rep. Carlin: The team is coached by Dr. Kevin Donnelly, K-State professor of agronomy. Dr. Donnelly is a K-State graduate who was raised on a farm in Dickinson County. Over the years he has called several other states home, but in 1998 returned to K-State in Wildcat Country as Assistant Dean in the College of Agriculture. In 2008 he became a full time professor in the Department of Agronomy and also won the North American Colleges and Teachers of Agriculture Distinguished Educator Award. In 2011 he received the K-State College of Agriculture David Mugler Excellence in Teaching Award and American Society of Agronomy Distinguished Editor Award.

Outside the classroom, in addition to coaching the Crops Team, he also plays a large role as co-advisor for the Wheat State Agronomy Club. He says working with students outside the classroom is just as rewarding as teaching. Congratulations!

Rep. Carlin presented them with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2772, AN ACT concerning sales taxation; relating to exemptions; first call for help, inc.; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Taxation.

HB 2773, AN ACT concerning school districts; authorizing the expenditure of certain unencumbered funds; relating to the local option budget; amending K.S.A. 2011 Supp. 72-965, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6433, 72-6460, 72-8237, 72-8250, 72-9509 and 72-9609 and repealing the existing sections, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Corrections and Juvenile Justice: **HB 2771**.

MESSAGES FROM THE GOVERNOR

HB 2525 approved on March 5, 2012.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6016—

By Representatives Wetta, Moxley, Dillmore, Finney, Flaharty, Lane, Meier,
O'Neal and Pottorff

A RESOLUTION to create the Kansan-Turkish Friendship Network.

WHEREAS, The Republic of Turkey is a democratic, secular, unitary, constitutional republic; and

WHEREAS, The Republic of Turkey and the United States of America are long-standing allies; and

WHEREAS, The Republic of Turkey has a very diverse culture that is a blend of various elements of the Oğuz Turkic, Anatolian, Ottoman and western culture and traditions, which started with the westernization of the Ottoman State and still continues today; and

WHEREAS, The Republic of Turkey was a founding member of the United Nations; and

WHEREAS, The Republic of Turkey is known worldwide for its architecture and archaeological riches; and

WHEREAS, The Republic of Turkey has one of the world's fastest growing economies, and is the world's fifteenth largest economy and Europe's sixth largest economy, and is to be commended on its contributions to the global economy; and

WHEREAS, It is in the best interest of the state of Kansas to further cultivate the good relationship between Kansas and the Republic of Turkey; and

WHEREAS, It is beneficial to recognize the contributions of our allies and the value of maintaining beneficial relationships with allies of the state of Kansas, such as the contributions made by the Republic of Turkey and the value of our positive relationship with this ally: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That in pursuit of this noble goal, we would like to create the Kansan-Turkish Friendship Network. The purpose of this bipartisan leadership network is to focus on Kansan-Turkish relations and issues that concern Turkish Americans in Kansas, as well as promote the cultural, educational and economic relations between Kansans and the Turkish people by coordinating hospitality, cultural and educational events and exchanges to facilitate and strengthen the development of those relationships; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Wetta and Representative Moxley.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. McLeland in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. McLeland, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2743** be passed.

Committee report to **HB 2550** be adopted; and the bill be passed as amended.

On motion of Rep. Dillmore to amend **HB 2396**, the motion did not prevail; and the bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Aging and Long-term Care** recommends **HB 2697** be amended by adoption of the amendments recommended by the Committee on Aging and Long-term Care as reported in the Journal of the House on February 22, 2012, and the bill, as printed with amendments by House Committee, be passed as amended.

Agriculture and Natural Resources Budget Committee recommends **HB 2758** be amended on page 1, in line 10, by striking all before "fund" and inserting "special litigation reserve"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 249** be passed.

Committee on **Insurance** recommends **SB 264**, **SB 266** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2717** be passed.

Transportation and Public Safety Budget Committee recommends **HB 2674** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar..

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2774, AN ACT concerning alcoholic liquor; relating to class A clubs; amending K.S.A. 2011 Supp. 41-2637 and repealing the existing section, by Committee on Appropriations.

HB 2775, AN ACT concerning lotteries; dealing with debt setoff for child support; amending K.S.A. 2011 Supp. 75-3306 and 75-6202 and repealing the existing sections, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2644** from Committee on Health and Human Services and referral to Committee on Appropriations.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, March 7, 2012.

Journal of the House

THIRTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 7, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Kelley and LeDoux were excused on verified illness.

Rep. Seiwert was excused on legislative business.

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

Prayer by guest chaplain, the Rev. Elvin Dillard, pastor, Grace Community Church, Overbrook, and guest of Rep. Johnson:

Our great and Mighty God, who alone is sovereign,

We come in the precious name of Jesus to praise you for your faithfulness, to acknowledge your Grace and your mercy – to thank you for your kindness and favor you have shown the citizens of this great land. As we gather today to discuss the affairs of this grand state, we come to you the one true and living God and seek your guidance. We come to you because we know you are infinitely wise and desire to share that which will enable us to make wise decisions. We confess we are frail and prone to error and without your Divine intervention we will wander and go astray. So we come not because of our goodness but because of your Greatness. I approach the Throne of Grace on this day to lift up this assembly and ask that by your Spirit you would guide, direct and be glorified through every discussion, procedure and ultimate decision. We ask this in Jesus' name and for his sake. Amen

The Pledge of Allegiance was led by Rep. Frownfelter.

Kansas Trivia Question – In Kinsley there is a sign indicating that one destination is 1,561 miles east and the other is 1,661 miles west. The eastern destination is New York, what is the western?

Answer: San Francisco

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Moxley and Wetta are spread upon the Journal:

Rep. Moxley:

Turkey is the greatest example we have of a working democracy in the Muslim Middle East. The Turkish people have been a friend and partner of the United States for more than 80 years. It has been a staging post for our military and a huge importer of American products including Kansas wheat and aircraft.

Recently Turkey has actively joined much of the rest of the world in condemning the atrocities in Syria, with whom it shares a border. Turkey holds some of the world's greatest points of history, including Ephesus and Harran. Notably, the Fertile Crescent area of current day Turkey and Iraq is the birth place of Abraham the father of the three Abrahamic faiths Christianity, Judaism and Muslim.

I am proud to show a bond with the Turkish people who have been a true friend to America, who have proven that secular democracy can work in a Muslim country, and who have demonstrated care and restraint in dealing with their own people and also their neighbors.

Rep. Wetta:

We are here to celebrate our long and prosperous friendship with the Turkish people. After our visit to Turkey last year, we have gained a deeper respect and appreciation for our ally in part of the world that makes it crucial to have a friend at this time in history. It is beneficial to recognize the contributions of our friends and the value of maintaining relationships with allies of the state of Kansas, such as the contributions made by the Republic of Turkey and the value of our positive relationship with them. In pursuit of this noble goal, we would like to create the Kansan-Turkish Friendship Network. The purpose of this bipartisan leadership network is to focus on Kansan-Turkish relations and issues that concern Turkish Americans in Kansas, as well as to promote the cultural, educational, academic, political and economic relations between Kansas and the Turkish people. By coordinating the hospitality, cultural and educational events and exchanges this will facilitate and strengthen the development of those relationships.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2776, AN ACT concerning the state fire marshal and certain fire codes; amending K.S.A. 31-134a and repealing the existing section, by Committee on Federal and State Affairs.

HB 2777, AN ACT concerning state institutions; relating to special education and related services provided by the state school for the blind and the state school for the deaf; amending K.S.A. 76-1006 and 76-1102 and K.S.A. 2011 Supp. 72-978 and repealing the existing sections, by Committee on Appropriations.

HB 2778, AN ACT concerning city annexation of fire district lands and taxation; amending K.S.A. 2011 Supp. 12-546 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Education Budget: **HB 2773**.

Federal and State Affairs: **HB 2774**, **HB 2775**.

Taxation: **HB 2772**.

Having appeared on the Calendar under the heading, Motions and Resolutions Offered on a Previous Day, Speaker O'Neal announced the referral of **HR 6013** to Committee on Federal and State Affairs.

CONSENT CALENDAR

No objection was made to **HB 2674**; **SB 264**, **SB 266** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2396, AN ACT abolishing the commission on judicial performance; amending K.S.A. 2010 Supp. 20-367, 25-4169a, 38-2211, 38-2309, 59-2122, 59-2979, 60-3104 and 60-31a04 and repealing the existing sections; also repealing K.S.A. 20-3203, and 20-3208 and K.S.A. 2010 Supp. 20-3201, 20-3202, 20-3204, 20-3205 and 20-3206, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 42; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brown, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Otto, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, B. Wolf, Worley.

Nays: Ballard, Bollier, Brookens, Bruchman, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henry, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, O'Neal, Pauls, Peterson, Phelps, Pottorff, Roth, Ruiz, Slattery, Spalding, Tietze, Trimmer, Victors, Ward, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Henderson, Kelley, LeDoux, Seiwert.

The bill passed.

HB 2550, AN ACT concerning alcoholic beverages; amending K.S.A. 41-2640 and 41-2722 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 80; Nays 41; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Denning, Fawcett, Finney, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez,

Goodman, Gordon, Gregory, Grosserode, Henry, Hermanson, Hildabrand, Hill, Hineman, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Schwab, Schwartz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Vickrey, Weber, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Brown, Collins, Crum, Davis, DeGraaf, Dillmore, Donohoe, Feuerborn, Flaharty, D. Gatewood, Grange, Grant, Hayzlett, Hedke, Hoffman, C. Holmes, M. Holmes, Howell, Kinzer, Mast, McCray-Miller, O'Neal, Otto, Patton, Pauls, Peck, Peterson, Phelps, Rhoades, Ryckman, Scapa, Schroeder, Shultz, Trimmer, Tyson, Victors, Ward, Wetta, Williams, B. Wolf.

Present but not voting: None.

Absent or not voting: Henderson, Kelley, LeDoux, Seiwert.

The bill passed, as amended.

HB 2743, AN ACT concerning abstracters; relating to license fees; amending K.S.A. 58-2801 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 30; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Cassidy, Colloton, Crum, Davis, Denning, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Brunk, Carlin, Carlson, Collins, DeGraaf, Dillmore, Donohoe, Garber, S. Gatewood, Gordon, Gregory, Grosserode, Hildabrand, Howell, Huebert, Kiegerl, Kinzer, Landwehr, Lane, Meigs, O'Hara, Patton, Scapa, Schwartz, Shultz, Tyson, Vickrey, Ward.

Present but not voting: None.

Absent or not voting: Henderson, Kelley, LeDoux, Seiwert.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Schroeder in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Schroeder, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2422** be adopted; and the bill be passed as amended.

On motion of Rep. Goodman to amend **HB 2480**, the motion did not prevail; also, on motion of Rep. Meier, **HB 2480** be rereferred to Committee on Taxation.

Committee report to **HB 2481** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 316** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2729** be amended by adoption of the amendments recommended by the House Committee on Agriculture and Natural Resources as reported in the Journal of the House on February 23, 2012, and the bill, as printed with amendments by House Committee, be further amended:

On page 3, following line 10, by inserting:

"(5) As a condition of receiving the park and recreation motor vehicle permit, the applicant shall consent to the sharing of information, including, but not limited to, the applicant's name, address, email address and phone number, with the secretary of wildlife, parks and tourism by the division of motor vehicles."; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2755** be amended on page 1, in line 18, after the period by inserting "The state fair board shall not expend any moneys from the state general fund to pay for the cost of furnishing or maintaining any privately funded building or facility on the state fairgrounds, including any rehabilitation and repair costs of such privately funded building or facility."; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2425** be amended by adoption of the amendments recommended by the Committee on Elections as reported in the Journal of the House on February 14, 2012, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Energy and Utilities** recommends **SB 374, SB 384, SB 406** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **SB 274** be passed.

Committee on **Federal and State Affairs** recommends **HB 2689** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2689," as follows:

"Substitute for HOUSE BILL NO. 2689

By Committee on Federal and State Affairs

"AN ACT concerning alcoholic beverages; amending K.S.A. 41-2612, 79-41a01 and 79-41a04 and K.S.A. 2011 Supp. 41-2601 and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2689** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **SB 290** be passed.

Committee on **Health and Human Services** recommends **SB 303** be amended on page 1, in line 19, by striking "The" and inserting "A"; also in line 19, after "crematory" by inserting "which has possession of the cremated remains of a dead human body";

Also on page 1, in line 32, before "Such" by inserting "(b)"; also in line 32, after "disposal" by inserting "under subsection (a)"; in line 36, by striking "(b)" and inserting "(c)";

On page 2, in line 5, by striking "(b)" and inserting "(c)(1)"; in line 11, before "Notwithstanding" by inserting:

"(2)";

Also on page 2, in line 20, before "Should" by inserting:

"(3)";

And by redesignating the remaining subsections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2260** be amended by adoption of the amendments recommended by the Committee on Judiciary as reported in the Journal of the House on February 22, 2012, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Judiciary** recommends **HB 2521** be amended on page 1, in line 6, by striking "civil penalty imposed" and inserting "administrative notice and proposed civil penalty to be imposed on a licensed Kansas cigarette wholesale dealer, tobacco distributor, retail dealer or vending machine operator as defined in K.S.A. 79-3301, and amendments thereto,"; in line 8, by striking "imposed" and inserting "issued"; also in line 8, by striking "such violation"; in line 9, by striking "occurred" and inserting "a citation was issued"; in line 13, by striking "civil penalty" and inserting "administrative notice and proposed civil penalty to be"; in line 15, by striking "imposed" and inserting "issued"; in line 16, by striking "such violation occurred" and inserting "a citation was issued"; in line 21, by striking "civil penalty" and inserting "administrative notice and proposed civil penalty to be"; in line 23, by striking "imposed" and inserting "issued"; in line 24, by striking "such violation occurred" and inserting "a citation was issued"; in line 29, by striking "civil penalty" and inserting "administrative notice and proposed civil penalty to be"; in line 31, by striking "imposed" and inserting "issued"; in line 32, by striking "such violation occurred" and inserting "a citation was issued";

On page 2, in line 1, by striking "civil penalty" and inserting "administrative notice and proposed civil penalty to be"; in line 3, by striking "imposed" and inserting "issued"; in line 4, by striking "such violation occurred" and inserting "a citation was issued"; in line 9, by striking "civil penalty" and inserting "administrative notice and proposed civil penalty to be"; in line 11, by striking "imposed" and inserting "issued"; in line 12, by striking "such violation occurred" and inserting "a citation was issued"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2523** be amended on page 1, in line 13, by striking "health care facility, health" and inserting "medical care facility, medical"; in line 14, by striking "health" and inserting "medical"; in line 20, by striking "health care facility, health" and inserting "medical care facility, medical"; in line 21, after "board" by inserting "of any medical care facility"; in line 24, after "the" by inserting "medical care"; in line 26, by striking "institution" and inserting "facility"; in line 28, by striking "hospital" and inserting "medical care facility"; following line 31, by inserting:

"Sec. 3. K.S.A. 65-446 is hereby amended to read as follows: 65-446. No person shall be required to perform, refer for or participate in medical procedures which result in sterilization of a person, and the refusal of any person to perform, refer for or participate in those medical procedures shall not be a basis for civil liability to any person. No ~~hospital, hospital~~ medical care facility, medical care facility administrator or governing board of any ~~hospital~~ medical care facility shall terminate the employment of, prevent or impair the practice or occupation of or impose any other sanction on any person because of his refusal to perform or participate in such medical procedures such person's exercise of rights protected by this section.

Sec. 4. K.S.A. 65-447 is hereby amended to read as follows: 65-447. No ~~hospital, hospital~~ medical care facility, medical care facility administrator, or governing board of

any medical care facility shall be required to permit the performance, referral for or participation in medical procedures resulting in sterilization within its institution facility and the refusal to permit such procedures shall not be grounds for civil liability to any person. A hospital medical care facility may establish criteria and procedures under which sterilizations may be performed within its institution, in addition to those which may be prescribed by licensing, regulating or accrediting agencies.";

And by renumbering sections accordingly;

Also on page 1, in line 32, after "65-443" by inserting ", 65-446 and 65-447";

On page 1, in the title, in line 1, by striking "abortion" and inserting "medical care facilities; relating to abortion; sterilization"; also in line 1, after "65-443" by inserting ", 65-446 and 65-447"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2609** be amended on page 1, in line 12, by striking all after "amounts"; by striking all in lines 13 through 15; in line 16, by striking all before "from"; in line 17, by striking all following the second "fund"; by striking all in lines 18 through 20; in line 21, by striking all before "\$22,500,000" and inserting "of"; in line 22, by striking "year 2015"; also in line 22, before "and" by inserting "years 2013 and 2014, \$20,250,000 during fiscal year 2015 and \$27,000,000 during fiscal year 2016";

On page 2, following line 2, by inserting:

"New Sec. 2. (a) Subject to the provisions of K.S.A. 79-2925b, and amendments thereto, if the total taxable real property valuation in any municipality increases due to increases in the assessed valuation of existing real property, then the governing body shall lower the mill levy rate to such rate that would equal the amount of *ad valorem* property taxes levied in the next preceding year. This subsection shall not apply to *ad valorem* taxes levied under K.S.A. 72-6431, 76-6b01 and 76-6b05, and amendments thereto, or any other *ad valorem* tax levy which was previously approved by the voters of such municipality. Property that, in the current year, is new construction, is located within added jurisdictional territory, or has changed in use shall not be considered when determining whether the total taxable real property valuation has increased from the prior year.

(b) If the total taxable real property valuation in any municipality decreases, then the governing body may increase the mill levy rate, subject to any statutory restrictions, to a rate that would equal the amount of *ad valorem* property taxes levied in the next preceding year.

(c) The provisions of subsection (a) shall not apply to or limit the levy of *ad valorem* taxes for the payment of principal and interest on bonds, temporary notes and no-fund warrants or judgments rendered against any such taxing subdivision.

(d) For the purpose of this section, "municipality" means any county, township, city, municipal university, school district, community college, drainage district and any other taxing district or political subdivision which levies taxes on property.

Sec. 3. K.S.A. 2011 Supp. 79-2925b is hereby amended to read as follows: 79-2925b. (a) ~~Without adoption of a resolution or ordinance so providing, the governing body of any taxing subdivision shall not approve~~ The governing body of any taxing subdivision shall adopt a resolution or ordinance approving any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, except with regard to revenue produced and attributable to the

taxation of: (1) New improvements to real property;

(2) increased personal property valuation, other than increased valuation of oil and gas leaseholds and mobile homes;

(3) property located within added jurisdictional territory; and

(4) property which has changed in use.

(b) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

~~(c) The provisions of this section shall not apply to community colleges or unified school districts.~~

~~(4) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.~~

(d) Any resolution adopted pursuant to this section shall be published in the official county newspaper of the county where such taxing subdivision is located.;

And by renumbering sections accordingly;

Also on page 2, in line 3, after "Supp." by inserting "79-2925b and"; also in line 3, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after "fund;" by inserting "relating to revenues produced by property tax levies; mill levy adjustments; resolutions, publication requirements;"; also in line 2, after "Supp." by inserting "79-2925b and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2757** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2779, AN ACT concerning crimes, punishment and criminal procedure; relating to human trafficking; human trafficking advisory board; establishing the human trafficking victim assistance fund; creating the crime of commercial sexual exploitation of a child; relating to selling sexual relations; promoting the sale of sexual relations; buying sexual relations; amending K.S.A. 2011 Supp. 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6815, 22-2515, 22-3717, 22-4902, 22-4906, 38-2243, 38-2260 and 38-2312 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-4902a, 22-4906a, 38-2312a and 38-2312b, by Committee on Federal and State Affairs.

HB 2780, AN ACT concerning the secretary of state; relating to ballot language statements, by Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2508** from Committee on Appropriations and rereferral to Committee on Insurance.

APPOINTMENT OF SELECT COMMITTEE

Speaker O'Neal, pursuant to House Rule 4902, appointed the following members to

serve on a Select Investigative Committee in response to the complaint filed with House Clerk Susan Kanaar on March 6, 2012:

Rep. Shultz, Chair; Reps. Kinzer, Bruchman, Pauls, Trimmer and Slattery.

A copy of the signed complaint will be given to Chairman Shultz, who will then proceed under the House Rule to convene the Committee and initiate its inquiry. Pursuant to House Rule 4902(b), the select committee shall constitute an investigating committee and shall have the powers thereof under Article 10 of chapter 46 of the Kansas Statutes Annotated. Rules and Journal Committee staff are assigned to assist.

MR. SPEAKER: Pursuant to House Rule 4901, we are requesting censure procedures including consideration of expulsion of Representative Jim Ward for his actions relating to the amendment relative to **HB 2212** on Thursday, February 23. Representative Ward on four occasions deliberately misled the House members by stating that his amendment did not change the underlying bill. That proved not to be the case and additional legislative action was needed to rectify the situation. – OWEN DONOHOE, TERRILOIS GREGORY, PEGGY MAST, JOHN RUBIN, TOM ARPKE, CHARLOTTE O'HARA, JIM HOWELL, S. MIKE KIEGERL, CONNIE O'BRIEN, BRENDA K. LANDWEHR, GENE SUELLENTROP, MARC RHOADES, BENNY L. BOMAN, JOSEPH SCAPA, LESLIE G. OSTERMAN, PETE DEGRAAF, JOE McLELAND, KASHA KELLEY, DENNIS HEDKE, ANTHONY R. BROWN, JANA GOODMAN, GREG SMITH, TERRY CALLOWAY, JAMES P. FAWCETT, KYLE D. HOFFMAN, DAN L. COLLINS

REPORT ON ENGROSSED BILLS

HB 2550 reported correctly engrossed March 6, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, March 8, 2012.

Journal of the House

FORTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 8, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Reps. Kelley, LeDoux and Ruiz were excused on verified illness.

Rep. Colloton was excused on legislative business.

Prayer by guest chaplain, Father Bill Brunning, Mother Teresa of Calcutta Catholic Church, Topeka, and guest of Rep. O'Neal:

Almighty God,

We give you thanks for the blessings you have bestowed upon our Nation and upon the Great State of Kansas. You have blessed us with fertile soils and bountiful harvests. You have blessed us with the sublime beauty of the prairie and rolling hills. You have blessed us with a rich heritage and a legacy of sacrifice for the freedom of all people. Pour out your wisdom and guidance on all members of the Kansas House of Representatives. Fill them with your spirit of Truth, and give them courage to defend our liberty, and protect the most vulnerable. Give our representatives hearts of compassion, and may they be good stewards of the legacy entrusted to them. May our Great State of Kansas have a future full of hope, peace, life and liberty for generations to come.

We ask this in the name of God Almighty.... Amen

The Pledge of Allegiance was led by Rep. Swanson.

Kansas Trivia Question – It's doubtful that the man for whom this site is named ever saw it, but there is a beautiful stone structure there built by the WPA that offers a great view of the countryside. What is the site's name?

Answer: Coronado Heights

INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Rubin are spread upon the Journal:

The Kansas Foundation for Agriculture in the Classroom, in conjunction with the

Kansas Department of Agriculture and Kansas State University Department of Agriculture, has named Lucas Shivers, a sixth grade teacher at Bluejacket-Flint Elementary in Shawnee, as the 2012 Janet Sims Memorial Teacher of the Year. Mr. Shivers presents agriculture and environmental lessons reflecting his childhood on a traditional Kansas family farm. In his student-centered classroom, he integrates agricultural concepts within daily curriculum objectives.

Mr. Shivers brings ag-literacy to the forefront of his classroom by allowing students to understand the influence of agriculture in America's future of security, personal health and economic revival.

Integrating agriculture with hands-on activities, Mr. Shiver's students learn to think critically, exercise inquiry, solve complex problems and advance our society with projects like:

- engineering food and energy sources with Future City;
- achieving zero-waste classrooms with recycling and composting through Green Team;
- seeing agriculture's impacts in different parts of the world with Electronic Field Trips;
- designing ag-focused exhibits for Science City through Battle of the Brains competitions; and
- funding agricultural businesses through international micro-finance loans with KIVA.

Mr. Shivers seeks to grow students into an agriculturally-aware citizenry which also understands the foundation of agriculture in the history and economy of Kansas, in American democracy, the scope of agriculture in our global markets and the depth of agriculture in our personal lives.

Please join me in recognizing and congratulating Lucas Shivers as the recipient of the Kansas Foundation for Agriculture in the Classroom's 2012 Janet Sims Memorial Teacher of the Year Award.

Rep. Rubin presented Mr. Lucas with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kuether are spread upon the Journal:

It is my pleasure to introduce you to the 2012 Mrs. Kansas, Bobbie Padgett. She is married to high school sweetheart, Barry, and together they have five children ages 16-1. Their youngest is adopted. They are outspoken advocates for adoption and foster care. She is here today as part of the KMEA (Kansas Music Educators Association) to speak about the importance of music education as part of the ARTS Day at the Capitol. Other members of the delegation with her today are Mike Quilloing, past president of KMEA, Fred Burrack and Avian Bear.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2781, AN ACT creating the task force on obesity prevention and management,

by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2779.**

Education Budget: **HB 2777.**

Elections: **HB 2780.**

Local Government: **HB 2776.**

Taxation: **HB 2778.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2084** from Committee on Appropriations and rereferral to Committee on Local Government.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Meier, **HR 6014**, A resolution designating the Honor and Remember Flag as the State of Kansas' emblem of the service and sacrifice by those in the United States Armed Forces who have given their lives in the line of duty, was adopted.

There being no objection, the following remarks of Rep. Meier are spread upon the Journal:

After joining the ranks of the Families of the Fallen with the death of his son in Fallujah, Iraq, George Lutz realized that there was no universally recognized symbol to acknowledge American service members who have fallen while in service to their nation.

He felt that all members of the military who volunteered their lives and made the ultimate sacrifice for their country and the defense of their fellow Americans, deserved to be honored and remembered.

After much deliberation, he came upon an idea of how to not only honor and remember each lost service member, but to educate the American people and millions who do not feel the burden of America's defense each day. He designed the Honor and Remember flag and started travelling the United States presenting personalized flags to families and educating all those he came in contact with along the way.

George's mission has grown into a Nationally Recognized organization that is embraced and officially endorsed by other National service organizations such as: the Vietnam Veterans of America, the Air Force Association, the Association of the US Army, the Association of the US Navy, the Military Officers Association of America, the American Gold Star Mothers, Inc., Bugles Across America, The Retired Enlisted Association, Sons of the American Revolution National Society, and many more.

As George's mission brought him to Kansas, his message touched our own Gold Star families from Kansas, the Vietnam Veterans of America and various posts of the Veterans of Foreign War and the American Legion. They joined him and sponsored his visit to Kansas. In July 2010, I was invited to my own VFW Post 56 in Leavenworth, along with the director of the Governor's Military Council to meet George Lutz, learn

of his mission and add our signatures to his petition of States' support.

I am very proud today, that all 125 of my fellow Representatives in the Kansas House, have co-sponsored this Resolution to recognize the Honor and Remember flag as Kansas' emblem of service and sacrifice of those who have given their lives in the line of duty for their country.

I am very honored today to have Mr. George Lutz, Gold Star father of Corporal George Anthony Lutz II, and founder of Honor and Remember, Inc. here with us today to witness this Resolution.

We are joined by members of the MOKAN GOLD STAR families. These are some of the families who helped to promote awareness and assisted in supporting the recognition of the Honor and Remember flag for the state of Kansas. There are many in the gallery and joining me here at the well are: Dennis and Betty Wright, Gold Star Parents of Private Shawn Wright, Diana Pitts and Kathie Echols, Gold Star mother and grandmother of Corporal David Unger, Sun Rodgers, Gold Star Mother of Sergeant Ricky Rodgers, Amber Mena, wife of Sergeant Ralph Mena, Anita Dixon, Gold Star mother of Sergeant Evan Parker, and Belinda Paauwe, Gold Star mother of Sergeant Michael Paauwe.

We are also honored to have two veterans with us, who supported Mr. Lutz and the Honor and Remember tour when it came to Kansas in July of 2010 and continue their strong support today: Lieutenant Colonel (Retired) Jim Bertsch, of the American Legion Riders Post #370 in Overland Park KS and Colonel (Retired) Lynn Rolf Jr., of the VFW Riders Post #56 in Leavenworth KS.

And in the gallery, we have some very special guests: members of the Patriot Guard. They are the heroes that line our streets to welcome home our returning service members and to escort those who are making their final journey to their resting place. Our humble thanks go to these dedicated Americans.

Rep. Meier presented a framed House certificate to Mr. Lutz.

CONSENT CALENDAR

No objection was made to **SB 374, SB 384, SB 406** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2674; SB 264, SB 266** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2422, AN ACT concerning the personal and family protection act; amending K.S.A. 2011 Supp. 75-7c05 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M.

Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Trimmer.

Present but not voting: None.

Absent or not voting: Colloton, Kelley, LeDoux, Ruiz.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: While I favor the exemption of corrections officers from taking the safety training if they have been issued a certificate of firearms training, I oppose charging these individuals more than other law enforcement officers for the permit. When we are looking at a \$400 million surplus, surely we can afford a few more dollars to allow these hard working individuals the right to purchase a conceal-carry permit at a reduced cost. I vote no on **HB 2422**. — ED TRIMMER

HB 2481, AN ACT concerning mineral severance tax; relating to taxation of helium and other gases; prohibiting certain refunds related thereto; amending K.S.A. 79-4226 and K.S.A. 2011 Supp. 79-4216 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 4; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kuether, Landwehr, Patton, Tietze.

Present but not voting: None.

Absent or not voting: Colloton, Kelley, LeDoux, Ruiz.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Huebert in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Huebert, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 249, SB 270** be passed.

Committee report to **HB 2697** be adopted; and the bill be passed as amended.

Committee report to **HB 2758** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 310** be amended on page 2, in line 7, after the period by inserting "The cost of the initial public hearing and any subsequent hearings may be paid by the groundwater management district.";

On page 4, in line 11, after the period "by inserting "The cost of public review hearings under this subsection may be paid by the groundwater management district."; and the bill be passed as amended.

Education Budget Committee recommends **SB 261** be amended on page 3, after line 38, by inserting the following:

"(g) The provisions of this section shall expire on June 30, 2017."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2769** be passed.

REPORT ON ENGROSSED BILLS

HB 2422, HB 2481 reported correctly engrossed March 7, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Friday, March 9, 2012.

Journal of the House

FORTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 9, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 118 members present.

Rep. LeDoux was excused on verified illness.

Reps. Colloton, Davis and Pauls were excused on legislative business.

Reps. Gordon, Hayzlett and O'Hara were excused on excused absence by the Speaker.

Rep. Grange was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Brandon Farrar, Annunciation Catholic Church, Baldwin City, and guest of Rep. Gregory:

That we exist—that anything with a beginning exists—demands that You do, almighty and ever-living God, for by itself that which has a beginning and an end, cannot explain its genesis and existence. Without You, eternal and infinite, finite creation is a contradiction.

You are life itself, from Whom we borrow ours without affecting Yours. Human life, then, is Your gift. We are but stewards, not owners, not proprietors, not authors—not even of our own life.

You are our Author, Who has generated our life and traced within our nature the content, the truth of the human person—the foundation of any just law and legitimate right. Rights, therefore, are not subject to the choice of individuals or the consent of any majority, for You, O God, with purpose made us. How can we not at anytime bear the character of Your substance and the transcription of Your grammar? We are Your creation, Your artwork, Your religious composition.

By nature we are religious beings, bearing Your image, bearing Your likeness, good and gracious God. Religion, then, is constitutive of our humanity, to which world cultures bear witness throughout humankind's history. Moreover, merciful God, our own 20th century atrocities manifest the limitations, errors and devastation into which reason unaided by faith falls.

By Your providence, omniscient Lord, our beloved Country is

grounded in the Christian Tradition, which professes Your Son human and Divine, Lord and Christ, dead and Raised. At its best, our Tradition seeks not that which is specific to the State, but eagerly desires to contribute to the good of the human family, uniquely qualified, as She is, to do so by the singular and perfect manner in which her God and Founder revealed what it means to be human.

Jesus revealed You, Lord, not only as transcendent, otherly and all-holy, but also did He reveal You as Father, and teach us to petition You for our needs, so that we might not only pray *Thy will be done on earth as it is in heaven*, but enact that for which we plead.

Father, enlighten with Your Spirit these Your civil servants, Your creation, Your sons and daughters. Illumine their intellects and strengthen their wills to religiously pursue the Truth, without which humankind cannot be free and the common good cannot be had. Discipline their hearts, righteous Judge, to be in accord with the words their lips utter in this hall, in their homes and houses of worship. Protect them from falling into the awkward duplicity of excluding religion from the public sphere, while asking You, O God, to bless America. Confound any satisfaction with the mere protection of rights, and instill within them the desire to create legislation consonant with Your natural law and capable of inculcating virtue. Safeguard the liberty and justice pledged to all from the dictatorship of libertinism, and a compromised mandate of the sovereign majority. Make Kansas a light for our Nation, and our Nation a light for the world. In Jesus' Name we pray. Amen.

The Pledge of Allegiance was led by Rep. Prescott.

Kansas Trivia Question – When Mr. Keeney and Mr. Warren founded a town, what did they call it?

Answer: WaKeeney

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Patton are spread upon the Journal:

I am now a very proud grandfather, and I am very happy to introduce my two month old grandson. Please welcome to the Kansas House of Representatives, Ethan Michael Egbert.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2782, AN ACT concerning elections; relating to persons running for public office in Kansas, by Committee on Federal and State Affairs.

2010

MARCH 9, 2012

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Health and Human Services: **HB 2781**.

Having appeared on the Calendar under the heading, Motions and Resolutions Offered on a Previous Day, Speaker O'Neal announced the referral of **HR 6016** to Committee on Federal and State Affairs.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 302** from Committee on Agriculture and Natural Resources and referral to Committee on Agriculture and Natural Resources Budget.

MESSAGE FROM THE SENATE

Announcing passage of **Sub SB 71, SB 250, SB 353, SB 413, SB 438**.

Announcing passage of **HB 2484, HB 2535, HB 2569, HB 2624**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 71; SB 250, SB 353, SB 413, SB 438.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6017**—

By Representative Moxley, Bowers, Brookens, Johnson and Swanson

A RESOLUTION congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress for their inspirational and visionary creation of a national Presidential memorial to honor General and President Dwight D. "Ike" Eisenhower in Washington, D.C.; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in establishing a new patriotic and historic landmark in the heart of the U.S. capital, the national seat of democracy and freedom; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in enabling the American public to participate in the celebration of this heroic leader and public servant, while inspiring millions throughout the world by memorializing his inspired leadership as General in defense of the United States and the liberation of Europe in World War II; and his enduring, visionary achievements as President in education, aviation, space and aeronautics,

transportation and diplomacy for peace; and

WHEREAS, The House of Representatives of the state of Kansas congratulates and commends the United States Congress in the innovation of an original, unique metal tapestry depicting the beauty of the Midwestern landscape of Eisenhower's home in Kansas, as the context for recognizing his heroic achievements as General and President; and

WHEREAS, The people in the state of Kansas are very proud that the United States Congress has chosen Kansas' favorite son to be nationally memorialized and internationally recognized in perpetuity in the nation's capital. Although Ike's greatest gift to the state of Kansas was serving America so well, he knew that his family and Abilene were the foundation of his identity. Returning to Abilene after Germany's surrender in World War II, Ike stated, "The proudest thing I can claim is that I am from Abilene." He loved Kansas and made it the site of his presidential library, as well as the burial ground for his wife Mamie, himself and his first son "Icky": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the United States Congress for establishing the Dwight D. Eisenhower Memorial. This memorial celebration of General and President Eisenhower's impressive accomplishments will forever educate and inspire citizens from across America and throughout the world. It will also give Kansans, and others from the Midwest, a very special place just steps across the nation's Capitol; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Moxley.

CONSENT CALENDAR

No objection was made to **SB 374, SB 384, SB 406** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2674; SB 264, SB 266** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2674, AN ACT concerning the Kansas highway patrol; relating to the administration of the highway patrol; amending K.S.A. 2011 Supp. 74-2105 and repealing the existing section; also repealing K.S.A. 74-2112, 74-2116, 74-2119, 74-2125 and 74-2133, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman,

Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

SB 264, AN ACT concerning insurance; relating to life insurance companies; designating trust companies as nominee; amending K.S.A. 2011 Supp. 40-2b20 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

SB 266, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurers; amending K.S.A. 2011 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward,

Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

HB 2697, AN ACT concerning eligibility requirements for medicaid; allowing a collateral assignment of the proceeds of life insurance policies, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed, as amended.

HB 2758, AN ACT concerning the board of accountancy; relating to the special litigation reserve fund; authorizing transfers from the board of accountancy fee fund; prescribing guidelines, limitations and duties with respect thereto, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 2; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

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Nays: Dillmore, S. Gatewood.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed, as amended.

SB 249, AN ACT concerning the division of post audit; relating to employees; criminal history record check; amending K.S.A. 46-1103 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 3; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Lane, Schroeder, Shultz.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.

The bill passed.

SB 270, AN ACT concerning the department of revenue; relating to confidentiality of licensure information; exceptions; amending K.S.A. 2011 Supp. 75-5133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 10; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Crum, Denning, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Collins, DeGraaf, Fawcett, Hildabrand, Huebert, Kelley, Kiegerl, Kinzer, Scapa.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Hayzlett, LeDoux, O'Hara, Pauls.
The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rhoades, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2353** be adopted; also, on motion of Rep. Knox be amended on page 1, in line 29, by striking "facilities or premises" and inserting "building";

On page 2, following line 8, by inserting:

"(i) A state agency or municipality which provides adequate security in a public building and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building as authorized by the personal and family protection act, such state agency or municipality shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(j) A state agency or municipality which does not provide adequate security in a public building and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.";

And by relettering the remaining subsections accordingly;

On page 3, in line 34, after "(b)" by inserting "Subject to provisions of New Section 1, and amendments thereto,";

On page 7, in line 38, by striking "unless"; by striking all in line 39; in line 40, by striking "to ensure that no weapons are permitted to be carried into such building";

Also, roll call was demanded on further motion of Rep. Knox to amend **HB 2353** on page 2, following line 8, by inserting:

"(i) The governing body or the chief administrative officer, if no governing body exists, of a post secondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt the institution from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(j) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the person and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns.";

And by relettering the remaining subsections accordingly.

On roll call, the vote was: Yeas 93; Nays 23; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Denning,

Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Brunk, Burgess, DeGraaf, Donohoe, Garber, Goodman, Howell, Kelley, Kinzer, Knox, McLeland, O'Brien, Patton, Peck, Rhoades, Rubin, Scapa, Siegfried, Smith, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Grange, Hayzlett, LeDoux, O'Hara, Pauls, Peterson.

The motion of Rep. Knox prevailed.

Also, on further motion of Rep. Knox, **HB 2353** be amended on page 2, in line 3, by striking all after "(g)"; by striking all in line 4; in line 5, by striking all before the period and inserting "The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general."

"(h) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns";

And by relettering the subsections accordingly;

Also, on further motion of Rep. Knox, **HB 2353** be amended on page 2, in line 6, by striking all after "(h)"; by striking all in line 7; in line 8, by striking all before the period and inserting "The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general. Any such adult care home which exempts itself under this subsection shall not be afforded the liability protection provided in subsection (i).

(i) A state agency or municipality which does not provide adequate security and which allows the carrying of a concealed handgun as authorized by the person and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun relating to acts or omissions regarding such handguns";

And by relettering the subsections accordingly;

Also, on motion of Rep. Mah, to refer **HB 2353** to Committee on Federal and State Affairs, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Mah to amend **HB 2353** on page 8,

following line 28, by inserting:

"New Sec. 4. The legislative division of post audit shall conduct a study of the monetary impact on state agencies and municipalities in providing adequate security in public buildings. The division shall report its findings to the 2013 legislature on or before January 15, 2013. Such findings shall include an estimated dollar amount and a recommendation regarding the mechanics of a state grant program for municipalities providing adequate security measures under section 1, and amendments thereto.";

And by renumbering remaining sections according;

Also on page 8, in line 31, by striking "from" and inserting "on"; also in line 31, after "after" by inserting "July 1, 2013 and"; in line 32, after "statute book" by inserting ", and upon the appropriation by the 2013 Kansas legislature of the amount specified in section 4 of this act";

On roll call, the vote was: Yeas 44; Nays 71; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Bethell, Bollier, Burroughs, Carlin, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Phelps, Pottorff, Roth, Ruiz, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Colloton, Davis, Gordon, Grange, Hayzlett, Kelley, LeDoux, O'Hara, Pauls, Peterson.

The motion of Rep. Mah did not prevail.

Also, on motion of Rep. Smith, **HB 2353** be amended on page 3, following line 33, by inserting:

"(b) (1) Any private entity which provides adequate security in a private building or facility and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building or facility as authorized by the person and family protection act, such private entity shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(2) Any private entity which does not provide adequate security in a private building or facility and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.";

And by relettering subsections accordingly; and the bill be passed as amended.

Committee report to **HB 2609** be adopted; also, on motion of Rep. Peck be amended on page 3, following line 13, by inserting:

"Sec. 4. K.S.A. 79-2961 is hereby amended to read as follows: 79-2961. (a) The county clerk shall certify to the county treasurer when budgets are made pursuant to K.S.A. 79-2960, and amendments thereto, and tax levies are filed with the county clerk. Prior to crediting the proper amounts under subsection (c) and except as provided in subsection (d), the county treasurer shall divide the amount paid by the state treasurer to the county treasurer among the county and all other taxing subdivisions of the county except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, which comply with the requirements of this act, in the proportion that the product of the last preceding total tangible tax rate of each subdivision, times its equalized tangible assessed valuation for the preceding year, is to the sum of such products of all the tangible tax-levying political subdivisions, except school districts and any incorporated city within which any portion of the Fort Riley military reservation is located and which would otherwise be a participant in the Riley county allocation, exclusive of the levy by the county for any deficiency for state purposes.

b) ~~No political subdivision shall be entitled to participate in the distribution of any money appropriated to carry out K.S.A. 79-2960, and amendments thereto, and this section unless and until such political subdivision has adopted and certified a budget for the ensuing year which shows as a separate item the amount of the distribution to one or more tax levy funds of general application within such subdivision except bond and interest funds and has certified a tax levy for each such fund that will produce a sum of money less than the amount which a maximum levy would produce for each such fund, in an amount equal to or in excess of the amount of such distribution. The budget of each political subdivision also shall show that the aggregate levies made by such tangible property tax-levying political subdivisions will produce a sum less than the amount which the aggregate levy would produce in an amount equal to or in excess of the aggregate amount of the budget items of such distribution shown in the aggregate levy that property tax revenues from the preceding year have been reduced by an amount equal to the amount received by the political subdivision from the local *ad valorem* tax reduction fund.~~

c) In crediting the amount that has been divided pursuant to subsection (a) or subsection (d), the county treasurer shall proceed as follows: Upon receipt of the payment from the state treasurer each year, credit the appropriate fund or funds of each political subdivision complying with the provisions of this act with its proportionate share of such payment and the county treasurer shall notify such political subdivision of the amounts so credited. This section and K.S.A. 79-2960, and amendments thereto, shall not apply to school districts.

d) The amount paid by the state treasurer to the county treasurer of each county under subsection (d) of K.S.A. 79-2959, and amendments thereto, shall be divided only among the one or more community colleges or municipal universities, or both, which received amounts under this section from the payment made from the local *ad valorem* tax reduction fund on January 15, 1983. The amount received by each such community college or municipal university under this subsection shall bear the same proportion to the total amount paid to such county under subsection (d) of K.S.A. 79-2959, and amendments thereto, as the amount received by such community college or municipal university under this section from the payment made to such county from the local *ad*

valorem tax reduction fund on January 15, 1983, bears to the total amount received by all such community colleges and municipal universities under this section from such payment.";

And by renumbering sections accordingly;

Also on page 3, in line 14, after "K.S.A." by inserting "79-2961 and K.S.A.";

On page 1, in the title, in line 2, following "fund" by inserting ", distribution to political subdivisions"; in line 4, after "K.S.A." by inserting "79-2961 and K.S.A.";

Also, roll call was demanded on motion of Rep. Schroeder to amend **HB 2609** on page 2, by striking all in lines 6 through 43;

On page 3, by striking all in lines 1 through 13;

And by renumbering sections accordingly;

Also on page 3, in line 14, by striking "79-2925b and"; also in line 14, by striking "are" and inserting "is";

On page 1, in the title, in line 2, by striking all after the semicolon; by striking all in line 3; in line 4, by striking "requirements"; also in line 4, by striking "79-2925b and"; in line 5, by striking "sections" and inserting "section";

On roll call, the vote was: Yeas 55; Nays 53; Present but not voting: 0; Absent or not voting: 17.

Yeas: Alford, Ballard, Bollier, Bowers, Brookens, Burgess, Burroughs, Carlin, Cassidy, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grant, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Mesa, Moxley, Phelps, Phillips, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Billinger, Boman, Brown, Brunk, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kiegerl, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Neal, Osterman, Otto, Peck, Pottorff, Powell, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Bruchman, Colloton, Davis, Donohoe, Gordon, Grange, Hayzlett, Kinzer, LeDoux, O'Hara, Patton, Pauls, Peterson, Shultz, Weber.

The motion of Rep. Schroeder prevailed.

Also, on motion of Rep. Brookens to amend **HB 2609**, Rep. Dillmore requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Ballard to amend **HB 2609**, the motion was withdrawn.

Also, on further motion of Rep. Ballard, **HB 2609** be amended on page 1, following line 7, by inserting "Section 1. K.S.A. 2011 Supp. 79-2004 is hereby amended to read as follows: 79-2004. (a) Except as provided by K.S.A. 79-4521, and amendments thereto, any person charged with real property taxes on the tax books in the hands of the county treasurer may pay, at such person's option, the full amount thereof on or before December 20 of each year, or $\frac{1}{2}$ thereof on or before December 20 and the remaining $\frac{1}{2}$ on or before May 10 next ensuing; or for any person who is 65 years of age or older on or before December of any year and who is charged with real property taxes on such

person's principal place of residence may pay, at such person's option, the full amount thereon on or before December 20 of each year, or $\frac{1}{2}$ thereof on or before May 10 next ensuing, or $\frac{1}{4}$ thereof on or before December 20, $\frac{1}{4}$ on or before February 10 next ensuing, $\frac{1}{4}$ on or before April 10 next ensuing and the remaining $\frac{1}{4}$ on or before May 10 next ensuing. If the full amount of the real property taxes listed upon any tax statement is \$10 or less the entire amount of such tax shall be due and payable on or before December 20.

In case the first half of the real property taxes remains unpaid after December 20, the first half of the tax shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* and may be paid at any time prior to May 10 following by paying $\frac{1}{2}$ of the tax together with interest at such rate from December 20 to date of payment. In case any of the $\frac{1}{4}$ payments of real property taxes remain unpaid by a person 65 years of age or older as described in subsection (a) after December 20, February 10 or April 10, such amount of unpaid taxes shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* and may be paid at any time prior to May 10 following by paying such amount of unpaid taxes together with interest at such rate from the date of the missed payment to the date of payment. Subject to the provisions of subsection (d), all real property taxes of the preceding year and accrued interest thereon which remain due and unpaid on May 11 shall accrue interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from May 10 until paid, or until the real property is sold for taxes by foreclosure as provided by law. Except as provided by subsection (c), all interest herein provided shall be credited to the county general fund, and whenever any such interest is paid the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

(b) Whenever any date prescribed in subsection (a) for the payment of real property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next-following regular business day of the office of the county treasurer.

(c) The board of county commissioners may enter into an agreement with the governing body of any city located in the county for the distribution of part or all of the interest paid on special assessments levied by the city which remain unpaid.

(d) All real property taxes of any year past due and unpaid on the effective date of this section and interest accrued thereon pursuant to this section prior to its amendment by this act shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from the effective date of this section until paid or until the real property is sold for taxes by foreclosure as provided by law.

Sec. 2. K.S.A. 2011 Supp. 79-2004a is hereby amended to read as follows: 79-2004a. (a) Any taxpayer charged with personal property taxes on the tax books in the hands of the county treasurer may at such taxpayer's option pay the full amount thereof on or before December 20 of each year, or $\frac{1}{2}$ thereof on or before December 20 and the remaining $\frac{1}{2}$ thereof on or before May 10 next ensuing; any taxpayer who is 65 years of age or older on or before December of any year and who is charged with personal property taxes on personal property which is such taxpayer's principal place of residence may pay, at the taxpayer's option, the full amount thereof on or before December 20, or $\frac{1}{2}$ thereof on or before December 20 and the remaining $\frac{1}{2}$ thereof on

or before May 10 next ensuing, or $\frac{1}{4}$ thereof on or before December 20, $\frac{1}{4}$ thereof on or before February 10 next ensuing, $\frac{1}{4}$ thereof on or before April 10 next ensuing and the remaining $\frac{1}{4}$ thereof on or before May 10 next ensuing; except that: (1) all unpaid personal property taxes of the preceding year must first be paid; and (2) if the full amount of the personal property taxes listed upon any tax statement shall be \$10 or less the entire amount of such taxes shall be due and payable on or before December 20.

(2) In the event anyone charged with personal property taxes shall fail to pay the first half amount due thereof on or before December 20 date of payment, the full amount thereof shall become immediately due and payable.

(3) In case the first half of the taxes remains unpaid after December 20, the entire and full amount of personal property taxes charged shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from December 20 to date of payment. In case any of the $\frac{1}{4}$ payments of personal property taxes remain unpaid by a person 65 years of age or older as described in this subsection after December 20, February 10 or April 10, such amount of unpaid taxes shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, per annum and may be paid at any time prior to May 10 following by paying such amount of unpaid taxes together with interest at such rate from the date of the missed payment to the date of payment. Subject to the provisions of subsection (c) all personal property taxes of the preceding year and interest thereon which shall remain due and unpaid on May 11 shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from May 10 until paid. All interest herein provided for shall be credited to the county general fund and retained by the county, and whenever any such interest is paid, the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

(b) Whenever any date prescribed in subsection (a) for the payment of personal property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next-following regular business day of the office of the county treasurer.

(c) All personal property taxes of any year past due and unpaid on the effective date of this section and interest accrued thereon pursuant to this section prior to its amendment by this act shall draw interest at the rate prescribed by K.S.A. 79-2968, and amendments thereto, plus two percentage points, *per annum* from the effective date of this section until paid.";

And by renumbering the remaining sections accordingly;

On page 3, in line 14, after "Supp." by inserting "79-2004, 79-2004a,";

On page 1, in the title, in line 4, following "requirements;" by inserting "time for payment of taxes, persons 65 years of age and older;"; also in line 4, following "Supp" by inserting "79-2004, 79-2004a,";

Having voted on the prevailing side, Rep. Prescott offered a motion to reconsider the adoption of the amendment by Rep. Schroeder (see page 2018, this Journal). Roll call was demanded.

On roll call, the vote was: Yeas 56; Nays 54; Present but not voting: 0; Absent or not voting: 15.

Yeas: Arpke, Boman, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell,

Johnson, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Powell, Prescott, Rhoades, Rubin, Scapa, Schwab, Schwartz, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Nays: Alford, Aurand, Ballard, Billinger, Bollier, Bowers, Brookens, Burroughs, Carlin, Cassidy, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Ryckman, Schroeder, Seiwert, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Colloton, Davis, Donohoe, Gordon, Grange, Grant, Hayzlett, Huebert, Landwehr, LeDoux, O'Hara, Pauls, Peterson, Weber.

The motion of Rep. Prescott prevailed.

The question reverted back to the amendment by Rep. Schroeder (see page 2018 of this Journal). Roll call was demanded.

On roll call, the vote was: Yeas 54; Nays 56; Present but not voting: 0; Absent or not voting: 15.

Yeas: Aurand, Ballard, Billinger, Bollier, Bowers, Brookens, Burgess, Burroughs, Carlin, Cassidy, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Henderson, Henry, Hill, Hineman, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Mesa, Moxley, Phelps, Phillips, Proehl, Roth, Ruiz, Ryckman, Schroeder, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Boman, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Garber, Goico, Goodman, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Pottorff, Powell, Prescott, Rhoades, Rubin, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Bethell, Colloton, Davis, Donohoe, Gordon, Grange, Grant, Hayzlett, Huebert, Landwehr, LeDoux, O'Hara, Pauls, Peterson, Weber.

The motion of Rep. Schroeder to amend did not prevail.

Also, on motion of Rep. Brookens to amend **HB 2609**, the motion did not prevail, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2018** be amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 3, 2011, and further amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 22, 2012, and the bill, as printed as further amended by House Committee, be passed as amended.

Committee on **Education** recommends **SB 258** be amended on page 1, following line 23, by inserting:

"(d) The provisions of this section shall expire on July 1, 2016."; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 263, SB 265** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Taxation** recommends **HB 2570, HB 2607, HB 2610** be passed.

Committee on **Transportation** recommends **HB 2749; SB 298, SB 300, SB 334** be passed.

Committee on **Transportation** recommends **Sub HB 2431** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2011 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) Any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate authorized for issuance on and after July 1, 1995, unless there is a guarantee of an initial issuance of at least 500 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2011 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2011 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2011 Supp. 8-1,160, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer \$40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed \$20,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) (1) Except for educational institution license plates issued under K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2004, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2006; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2006.

(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2004, if:

(A) Less than 500 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.;

And by renumbering the sections accordingly;

On page 3, in line 29, after "institution" by inserting "and the state treasurer";

On page 9, in line 21, after "the" by inserting "designated"; in line 22, after "Kansas" by inserting "and the state treasurer"; in line 33, after the second "the" by inserting "designated";

On page 11, in line 16, after "education" by inserting "and the state treasurer";

On page 13, in line 6, after "center" by inserting "and the state treasurer";

On page 16, in line 40, by striking "Boy Scouts of America" and inserting "designated Kansas Boy Scouts of America council and the state treasurer";

On page 17, in line 8, by striking the second "boy scouts of America" and inserting "designated Boy Scouts of America council";

On page 19, in line 4, after "Supp." by inserting "8-1,141,";

On page 1, in the title, in line 2, after "Supp." by inserting "8-1,141,;" and the bill be passed as amended.

Committee on **Transportation** recommends **SB 120** be amended on page 3, in line 27, after "thereon" by inserting "or, if a manufacturer's statement of origin for the vessel does not exist or cannot be located, then a statement of fact stating the liens and encumbrances on the vessel shall be delivered to the purchaser";

On page 6, in line 32, by striking "2012" and inserting "2013";

On page 7, in line 5, after "(c)" by inserting "The division shall gather all information necessary to comply with 33 C.F.R. § 187.

(d)";

Also on page 7, in line 38, by striking "and" and inserting a comma; also in line 38, after "parks" by inserting "and tourism";

On page 8, in line 5, by striking "and" and inserting a comma; also in line 5, after "parks" by inserting "and tourism";

On page 9, in line 11, after "dealers" by inserting "and manufacturers";

On page 12, in line 25, by striking "2012" and inserting "2013"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 73, by Representative Bowers, congratulating Lou Frohardt on being inducted into the Cloud County Community College Athletic Hall of Fame;

Request No. 74, by Representative Bowers, congratulating Greg Babcock on being named Emergency Management's Volunteer of the Year by Lincoln County Emergency Management;

Request No. 75, by Representatives Kerschen, Carlin, and Phillips, commending Kansas State University Crops Team in recognition for winning successive years of national championships;

Request No. 76, by Representative Rubin, congratulating Lucas Shivers on receiving the 2012 Janet Sims Memorial Teacher of the Year;

Request No. 77, by Representative Vickrey, congratulating Mallen Trull on achieving the rank of Eagle Scout;

Request No. 78, by Representative D. Gatewood, commending Neutral Lands Cherokee on providing food and truckloads of clothing to families who are less fortunate or have suffered natural disasters;

Request No. 79, by Representative Schwartz, commending Frank Benteman for his efforts to recognize soldiers from Frankfort and the surrounding area who lost their lives during World War II;

Request No. 80, by Representative Gregory, congratulating Baldwin City High School for being named 2012 State Champions of Real World Design Challenge Team;

Request No. 81, by Representative Gregory, congratulating Neosho County Community College for being awarded the Bellwether Finalist Award by the Community College Futures Agency;

Request No. 82, by Representative Smith, congratulating Shawnee Mission West High School Marching Band on representing the State of Kansas with honor and professionalism in the New Year's Day Parade in London, England for a record 7th time;

Request No. 83, by Representative Calloway, commending Hank Cloninger on achieving the rank of Eagle Scout;

Request No. 84, by Representative Calloway, commending Jake Cloninger on achieving the rank of Eagle Scout;

Request No. 85, by Representative Meier, congratulating Michael Gersema on achieving the rank of Eagle Scout;

Request No. 86, by Representative Meier, congratulating Jacob Francis Schatzel on

achieving the rank of Eagle Scout;

Request No. 87, by Representative Meier, congratulating Tyler Stephen Fox on achieving the rank of Eagle Scout;

Request No. 88, by Representative Meier, congratulating Daniel Singletary on achieving the rank of Eagle Scout;

Request No. 89, by Representative Meier, congratulating Rory MacDonald on achieving the rank of Eagle Scout;

Request No. 90, by Representative Meier, congratulating Christopher John Gavin on achieving the rank of Eagle Scout;

Request No. 91, by Representative Phelps, congratulating Luis Blanco on winning the 56th annual Ellis County spelling bee;

Request No. 92, by Representative Phelps, congratulating Dylan Schumacher on winning his fourth straight 3-2-1-A state wrestling title;

Request No. 93, by Representative Crum, congratulating Douglass Senior High Girls Cross Country Team for winning the State 3A Championship;

Request No. 94, by Representative Meier, congratulating Skyler J. Marsh on receiving the Girl Scout Gold Award;

Request No. 95, by Representative Meier, congratulating Kayla L. Oatney on receiving the Girl Scout Gold Award;

Request No. 96, by Representative Meier, congratulating Ashley M. Raletz on receiving the Girl Scout Gold Award;

Request No. 97, by Representative Meier, congratulating Kayla Wright on receiving the Girl Scout Gold Award;

Request No. 98, by Representative Grant, congratulating Wayne Cichon on coaching the St. Mary's Colgan boys basketball team to win 500 games including five state Class 2A titles;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2783, AN ACT concerning sales taxation; relating to exemptions; amending K.S.A. 2011 Supp. 79-3606 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3606g, by Committee on Taxation.

MESSAGE FROM THE GOVERNOR

HB 2273, HB 2441, HB 2460 approved on March 9, 2012.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6018**—

By Committee on Energy and Utilities

A RESOLUTION opposing and exposing the radical and destructive United Nations Agenda 21.

WHEREAS, The United Nations Agenda 21 is a comprehensive plan of extreme environmentalism, social engineering and global political control that was initiated at the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992; and

WHEREAS, The United Nations Agenda 21 is being covertly pushed into local communities throughout the United States of America through the International Council of Local Environmental Initiatives through local "sustainable development" policies such as Smart Growth, Wildlands Project, Resilient Cities, Regional Visioning Projects and other "Green" or "Alternative" projects; and

WHEREAS, This United Nations Agenda 21 plan of radical so-called "sustainable development" views the American way of life of private property ownership, single family homes, private car ownership, individual travel choices and privately owned farms as destructive to the environment; and

WHEREAS, The United States federal government and no state or local government is legally bound by the United Nations Agenda 21; and

WHEREAS, According to the United Nations Agenda 21 policy, social justice is described as the right and opportunity of all people to benefit equally from the resources afforded us by society and the environment which would be accomplished by socialist and communist redistribution of wealth: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the destructive and insidious nature of United Nations Agenda 21 and hereby expose to public policy makers the dangerous intent of the plan; and

Be it further resolved: That the federal government and all state and local governments across the country should seek to be well informed of the underlying harmful implications of the implementation of United Nations Agenda 21 destructive strategies for "sustainable development" and that we hereby endorse rejection of its radical policies; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to each member of the Kansas Congressional Delegation.

REPORT ON ENGROSSED BILLS

HB 2697, HB 2758 reported correctly engrossed March 8, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, March 12, 2012.

Journal of the House

FORTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 12, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Prayer was offered by guest chaplain, Father Benjamin Shockey, St. Patrick's Church, Kingman, guest of Rep. McLeland.

The Pledge of Allegiance was led by Rep. Ruiz.

Kansas Trivia Question – This rock of Dakota Formation sandstone was a landmark on the Santa Fe Trail and was so named because Native Americans of the area often met at its summit. What is its name?

Answer: Pawnee Rock

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Reps. Seiwert and Hoffman are spread upon the Journal:

Rep. Seiwert:

Good morning members of the House. Forty-seven years ago I graduated from St. Patrick's Catholic School in Kingman, Kansas. This morning I would like to recognize this same school in my district, for receiving the Governor's Award for Excellence in Education. To achieve this award schools must attain the "Standard of Excellence" in reading and mathematics and also make adequate yearly progress in both these subjects. This is the fourth consecutive year that St. Patrick's has received this award. They are hoping to make it five by the end of the school year.

Out of all the elementary and middle schools in Kansas, St. Patrick's was one of forty three schools to achieve this honor. For this I commend the students, teaching staff, principal, and parents of St. Patrick's Catholic School.

St. Patrick's is represented today by its principal Mr. Robert Lyall; the Parish priest, Father Benjamin Shockey, who led our prayer this morning; lead teacher, Mrs. Ann Vaughn; three students, Cole Walters, Allison DeWeese, and Joshua Campbell; and a parent, Mrs. Jennifer Campbell.

Congratulations to all of you!

Rep. Hoffman:

It is my pleasure along with my fellow representative to acknowledge the accomplishments of St. Patrick's School in Kingman KS. It is because of the dedication of the parents, staff, and students that St. Patrick's that has earned the the Governor's Award of Achievement not only this last year but for the last four years. No other school in the state can make that statement, so it is my pleasure to present this certificate to them on behalf of the House of Representatives for this great accomplishment. Please help me recognize the students and teachers of St. Patrick's.

Rep Hoffman presented a framed House certificate to the students.

POINT OF PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. C. Holmes are spread upon the Journal:

With tornado season arriving early this year, we are all very concerned and watchful of these devastating storms.

Probably the most famous tornado associated with Kansas happened at the movies years ago. Our state is known all over the world for the tornado that swept Dorothy Gale and her little dog, Toto, into the Land of Oz.

When you travel The Yellow Brick Road, also known as Highway 54 through Liberal, watch for a Visitor's Complex that includes Dorothy's House and a large Land of Oz exhibit, along with a Kansas Visitor's Center, the Coronado History Museum and gift shops featuring all kinds of Land of Oz collectibles and souvenirs.

Unfortunately, one large part of the complex is missing. You see, on May 15, 2003, three tornadoes touched down in Liberal. One barely missed hitting Dorothy's House for a second time, but it completely destroyed Uncle Henry's large Barn! Local supporters hope to raise enough private funds to rebuild the barn in the future. It will contain facilities for workshops, demonstrations and additional exhibits.

In Liberal, it is quite an honor for a young lady to be "Dorothy." These girls really work hard – giving tours of Dorothy's House and participating in most local events, welcoming visitors to our city. They will be in place to welcome our guests to Liberal when Liberal hosts the Kansas Sampler Festival, the first weekend in May of 2012 and 2013.

If you see a young lady in the Capitol today, dressed in a blue and white checkered dress and ruby red slippers, be sure to say "hello." She just might click her heels together and remind you that there's "No place like home!"

May I direct your attention to the visitor's gallery. Ten of Liberal's finest goodwill ambassadors have joined us today.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Commerce and Economic Development: **SB 413, SB 438.**

Elections: **HB 2782.**

Energy and Utilities: **HR 6018.**

General Government Budget: **SB 353.**

Insurance: **SB 71, SB 250.**

Taxation: **HB 2783**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2775** from Committee on Federal and State Affairs and referral to Committee on Children and Families.

CONSENT CALENDAR

No objection was made to **SB 263**, **SB 265** appearing on the Consent Calendar for the first day.

No objection was made to **SB 374**, **SB 384**, **SB 406** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 374, AN ACT concerning utilities, relating to the Kansas corporation commission; rules and regulations; amending K.S.A. 66-1,150, 66-1,151 and 66-1,153 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Grosserode.

Present but not voting: None.

Absent or not voting: Landwehr.

The bill passed.

SB 384, AN ACT concerning the Kansas 911 act; definitions; terms of council members; fees, distribution; amending K.S.A. 2011 Supp. 12-5363, 12-5364 and 12-5374 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood,

Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Landwehr.

The bill passed.

SB 406, AN ACT concerning the Kansas storage tank act; relating to the underground storage tank fund; amending K.S.A. 65-34,123 and K.S.A. 2011 Supp. 65-34,102, 65-34,110, 65-34,117, 65-34,131, 65-34,132, 65-34,133 and 65-34,134 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Landwehr.

The bill passed.

HB 2353, AN ACT concerning the personal and family protection act; amending K.S.A. 2011 Supp. 21-6309 and 75-7c10 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 54; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson,

Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Lane, LeDoux, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, Wetta.

Nays: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Cassidy, Colloton, Crum, Davis, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kelly, Kuether, Loganbill, Mah, McCray-Miller, Moxley, Peterson, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Landwehr.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR SPEAKER: I vote no on **HB 2353**. This bill seems to have pitted an ideological view of gun owner's rights with the ability for cities, counties and school districts to take reasonable and common sense approaches to occupant safety. But regardless of how this is weighed, it is just another supplanting of local authority, local judgment and local knowledge and expertise with a legislative mandate that will either cost the entity significantly or not result in any true increase in security.—CHARLIE ROTH

MR SPEAKER: We require public buildings to have a plan for a fire, yet when do we ever have anyone die in a public building due to fire, almost never, because we require a plan. Just in the last month this nation has had several die from shootings in public buildings. I had hopes that **HB 2353** would require the same thing for armed intruders, but what we did was just exempt most public building from the bill. I support the right of citizens to defend themselves, but this bill (as it is now amended) does nothing to make our citizens safer. I vote yes on **HB 2353** only because of the Smith amendment.—BILL OTTO

MR SPEAKER: **HB 2353** allows the concealed carry of a handgun by licensed individuals in publicly owned buildings that do not provide adequate security. This bill offers liability protections for those buildings – both public and private – that allow self protection. Buildings not providing adequate security, yet prohibiting an individual's right to self protection, are not provided liability protection in the bill. I vote YES on **HB 2353**.—FORREST J. KNOX, GREG SMITH, REYNALDO R. MESA, BRETT HILDABRAND, VIRGIL PECK JR., DENNIS HEDKE, RANDY GARBER, CHARLOTTE O'HARA, TERRILOIS GREGORY, OWEN DONOHUE, JIM HOWELL, AMANDA GROSSERODE, TOM ARPKE, JOSEPH SCAPA, CONNIE O'BRIEN, JANA GOODMAN, JOHN J. RUBIN, STEVE HUEBERT, TERRY CALLOWAY, BENNY L. BOMAN, WILLIE PRESCOTT, ARLEN H. SIEGFREID, PETE DEGRAAF, RICHARD CARLSON, MARVIN KLEEB, KASHA KELLEY, STEVEN R. BRUNK, S. MIKE KIEGERL

MR SPEAKER: As a gun owner since age 12, I am a strong supporter of our 2nd Amendment rights. I supported our current conceal carry law that provides local governments the ability to best determine the security needs within their public buildings. I vote no on **HB 2353**.—DAVE CRUM

HB 2609, AN ACT concerning property tax; transferring moneys to the local ad valorem tax reduction fund; relating to revenues produced by property tax levies; mill levy adjustments; resolutions, publication requirements; amending K.S.A. 2011 Supp. 79-2925b and 79-2959 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 23; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Billinger, Boman, Brookens, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mast, McLeland, Meier, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Scapa, Schwab, Schwartz, Seiwert, Siegfroid, Slattery, Smith, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Bethell, Bollier, Bowers, Burgess, Carlin, Colloton, Flaharty, Gonzalez, Hill, Johnson, Mah, McCray-Miller, Mesa, Moxley, Roth, Ryckman, Schroeder, Shultz, Sloan, Spalding, Swanson, K. Wolf.

Present but not voting: None.

Absent or not voting: Landwehr.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR SPEAKER: I vote yes on **HB 2609** because it restores (in a very modest amount) the local ad valorem tax reduction fund. I do not see the rest of the bill doing much other than the legislature (the Wizard) telling Dorothy of Kansas to not look behind the curtain to see who has been the true cause of property taxes going up.— BILL OTTO

MR. SPEAKER: I vote no on **HB 2609**. Although I support the part of the bill that restores LAVTR transfers to counties to reduce property taxes, I could not support the other part of the bill. It will create significant cost and complication by adding a new tax calculation requiring local governments to adjust the mill levy rate every year. Also, in some cases the cost of the public notice would exceed the tax dollars raised by a mill levy increase. I applaud the effort of working toward transparency in government and to reduce property taxes, but at the implementation level this bill creates more mud than transparency. — MIKE BURGESS

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Hayzlett in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2769** be passed.

Committee report to **HB 2729** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2689** be adopted; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2634** be amended as recommended by the House Committee on Education as reported in the Journal of the House on February 22, 2012, and the bill be further amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2634," as follows:

"Substitute for HOUSE BILL NO. 2634

By Committee on Education

"AN ACT concerning schools; relating to school employees; performance and evaluation; professional development; amending K.S.A. 72-1412, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 72-5413, 72-9002, 72-9003 and 72-9608 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2634** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2353, HB 2609 reported correctly engrossed March 12, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, March 13, 2012.

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 13, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. Kinzer was excused on verified illness.

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

Prayer by guest chaplain, the Rev. David Welsh, pastor, Central Christian Church, Wichita, and guest of Rep. Hedke:

Heavenly Father,

Thank you for another day of life, and for the opportunity to lift up in prayer these men and women who serve our beloved state.

For these leaders, I pray for wise thoughts, discerning minds and open hearts.

I pray for their patience not only with procedure but with one another as they tackle the growing economic issues that threaten our livelihood.

I pray protection for their families as many will spend time away from home.

I pray that they will always choose what is right and what is good so that people from coast to coast, will take notice that this nation's heartland will always be the first to stand up for America.

I pray these things in the name of Jesus Christ, my Savior and Lord. Amen.

The Pledge of Allegiance was led by Rep. Weber.

Kansas Trivia Question – Shunganunga Creek in Topeka takes its name from a Sioux word meaning what?

Answer: Race Horse

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Hill are spread upon the Journal:

Today we have the opportunity to recognize Kansas Small Business Development

Center's emerging and existing 2011 businesses of the year. These sixteen businesses represent economic vitality and human vibrancy in the communities they serve. These businesses have achieved major accomplishments: established growing businesses, demonstrated vision, problem solving and exemplary corporate citizenship. Entrepreneurship is one of the most powerful drivers of growth and prosperity in our Kansas economy. It is the primary source of job creation and economic competitiveness. Challenging economic times have proven to be good times to launch a new business. The 2011 Emerging Businesses of the Year include: Studio K Photography in Burlington, The Kitchen and Closet Solution in Hays, Project Fitness LLC in Garden City, hr-heaven, inc. in Overland Park, Risley Chiropractic in Lawrence, Phelps's Hog Heaven in Coffeyville, Renaissance Cellars Winery in St. Marys and Clearwater Engineering, Inc in Clearwater. The 2011 Existing Businesses of the Year are At-Home Health Care in Emporia, RoadRuner Manufacturing LLC in Levant, The Main ARtery in Ulysses, Emily Hart Bridal in Leawood, The Wreath Depot in Tonganoxie, Kids Kingdom in Iola, Billy Vanilly in Topeka, and Grassland Gardens Nursery & Flower Farm in Miltonvale. In 2011 KSBDC clients started 306 new businesses, bringing the 9 year total to 2,414 new businesses. It is the priority of KSBDC to reach as many potential entrepreneurs as possible and provide tools and services for Kansans in all parts of the state. The entrepreneurial spirit and energy represented by those we recognize today provide a source of encouragement and optimism as together we look forward to an improving economic climate and future opportunities.

POINT OF PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Winn are spread upon the Journal:

Today is Delta Sigma Theta Day at the Kansas Capitol. We are proud to have over 30 members visiting today. They are from Saline-Geary-Riley County, Leavenworth, Kansas City Kansas, Wichita and Topeka.

Delta Sigma Theta Sorority was founded in January 1913 by 22 collegiate women at Howard University. These students wanted to use their collective strength to promote academic excellence and to provide assistance to persons in the need. The first public act performed by the Delta Founders involved their participation in the Women's Suffrage march in Washington, D.C. in March 1913. Delta Sigma Theta was incorporated in 1930. Since then members of Delta Sigma Theta Sorority have committed their energies to community service, leadership, and educating the youth. Today, Delta Sigma Theta Sorority is the largest African American Greek lettered sorority in the world. Please welcome members of Delta Sigma Theta Sorority.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 46**, **SB 104** from Committee on Judiciary and referral to Committee on Corrections and Juvenile Justice.

MOTIONS AND RESOLUTION OFFERED ON A PREVIOUS DAY

On motion of Rep. Hayzlett, **HR 6015**, A resolution commemorating the 75th anniversary of the Wildlife and Sport Fish Restoration Program, was adopted.

CONSENT CALENDAR

No objection was made to **SB 263, SB 265** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2689, AN ACT concerning alcoholic beverages; amending K.S.A. 41-2612, 79-41a01 and 79-41a04 and K.S.A. 2011 Supp. 41-2601 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 16; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins, DeGraaf, Dillmore, D. Gatewood, C. Holmes, Howell, Kelley, LeDoux, Mast, Patton, Pauls, Peck, Schroeder, Shultz, Tyson, Williams.

Present but not voting: None.

Absent or not voting: Kinzer, Peterson.

The substitute bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I enthusiastically vote yea on **Sub HB 2689**. This bill will eliminate the inequality in current law against dining rail cars. Douglas and Franklin counties will experience immediate positive economic impact from this legislation early this summer. The new destination attraction in Baldwin City will bring several local jobs, support patronage of area businesses and historical attractions, and increase tourism to the region. – TERRILOIS GREGORY

HB 2729, AN ACT concerning motor vehicles; relating to parks and recreation motor vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Denning, Fawcett, Finney, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Mast, McCray-Miller, Mesa, Montgomery, Moxley, O'Brien, O'Neal,

Osterman, Otto, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Weber, Wetta, Winn, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Burroughs, Calloway, Davis, DeGraaf, Dillmore, Donohoe, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, Grant, Grosserode, Henderson, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McLeland, Meier, Meigs, O'Hara, Patton, Pauls, Peck, Phelps, Rubin, Ruiz, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Williams, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kinzer, Peterson.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2729** eliminates the current 50% senior citizen and disabled persons fee discounts for both annual and daily park motor vehicle permits. Since this bill enacts overall park fee reductions only for those who utilize the vehicle registration process to get their park permits, and future increases will wipe out any reductions, this elimination of senior citizen and disabled person discounts will increase the park's bottom line on the backs of those least able to pay, folks on fixed incomes who have paid full freight for park permits for years. I vote no on **HB 2729**. – JOHN RUBIN, JOE McLELAND, TERRY CALLOWAY, CHARLOTTE O'HARA, BRENDA K. LANDWEHR, AMANDA L. GROSSERODE

HB 2769, AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2011 Supp. 79-201a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Fawcett, Swanson.

Present but not voting: None.

Absent or not voting: Kinzer, Peterson.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Aurand in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **H Sub for SB 177** be adopted; also, on motion of Rep. Carlson to amend, Rep. Frownfelter requested the question be divided. The question was divided.

On Part A of the motion of Rep. Carlson, **H Sub for SB 177** be amended on page 1, in line 15, by striking "2%" and inserting "3%"; in line 19, by striking "2%" and inserting "3%";

On page 2, in line 27, by striking "102%" and inserting "103%";

On page 3, by striking all in lines 14 through 43;

On page 4, by striking all in lines 1 through 18;

On page 10, by striking all in lines 13 through 34; in line 35, by striking "(xx)" and inserting "(xix)"; in line 36, by striking "(b)(xix) or"; in line 40, by striking "(xxi)" and inserting "(xx)"; in line 41, by striking "(b)(xix) or";

On page 11, in line 3, by striking "(xxii)" and inserting "(xxi)"; in line 4, by striking "(b)(xix) or"; in line 8, by striking "(xxiii)"; and inserting "(xxii)"; in line 9, by striking "(b)(xix) or";

On page 16, in line 10, after "(b)(xxi)" by striking the comma and inserting "and"; also in line 10, by striking "and (b) (xxiii)";

On page 17, by striking all in lines 21 through 43;

By striking all on pages 18 and 19;

On page 20, by striking all in lines 1 through 26; by striking all in line 43;

Also, on Part B of the motion of Rep. Carlson, **H Sub for SB 177** be amended by striking all on pages 21 through 28;

On page 29, by striking all in lines 1 through 40;

Also, on Part C of the motion of Rep. Carlson to amend **H Sub for SB 177**, the motion did not prevail.

Also, on Part D of the motion of Rep. Carlson, **H Sub for SB 177** be amended on page 36, after line 29, by inserting the following:

"Sec. 15. K.S.A. 2011 Supp. 79-32,143a is hereby amended to read as follows: 79-32,143a (a) For taxable years beginning after December 31, 2011, a taxpayer may elect to take an expense deduction from Kansas net income before expensing or recapture allocated or apportioned to this state for the cost of the following property placed in service in this state during the taxable year: (1) Tangible property eligible for depreciation under the modified accelerated cost recovery system in section 168 of the internal revenue code, as amended, but not including residential rental property, nonresidential real property, any railroad grading or tunnel bore or any other property with an applicable recovery period in excess of 25 years as defined under section 168(c) or (g) of the internal revenue code, as amended; and (2) computer software as defined in section 197(e)(3)(B) of the internal revenue code, as amended, and as described in section 197(e)(3)(A)(i) of the internal revenue code, as amended, to which section 167 of the internal revenue code, as amended, applies. If such election is made, the amount of expense deduction for such cost shall equal the difference between the depreciable cost of such property for federal income tax purposes and the amount of bonus

depreciation being claimed for such property pursuant to section 168(k) of the internal revenue code, as amended, for federal income tax purposes in such tax year, but without regard to any expense deduction being claimed for such property under section 179 of the internal revenue code, as amended, multiplied by the applicable factor, determined by using the table provided in subsection (f), based on the method of depreciation selected pursuant to section 168(b)(1), (2), or (3) or (g) of the internal revenue code, as amended, and the applicable recovery period for such property as defined under section 168(c) or (g) of the internal revenue code, as amended. This election shall be made by the due date of the original return, including any extensions, and may be made only for the taxable year in which the property is placed in service, and once made, shall be irrevocable. If the section 179 expense deduction election has been made for federal income tax purposes for any asset, the applicable factor to be utilized is in the IRC § 168 (b)(1) column of the table provided in subsection (f) for the applicable recovery period of the respective assets.

(b) If the amount of expense deduction calculated pursuant to subsection (a) exceeds the taxpayer's Kansas net income before expensing or recapture allocated or apportioned to this state, such excess amount shall be treated as a Kansas net operating loss as provided in K.S.A. 79-32,143, and amendments thereto.

(c) If the property for which an expense deduction is taken pursuant to subsection (a) is subsequently sold during the applicable recovery period for such property as defined under section 168(c) of the internal revenue code, as amended, and in a manner that would cause recapture of any previously taken expense or depreciation deductions for federal income tax purposes, or if the situs of such property is otherwise changed such that the property is relocated outside the state of Kansas during such applicable recovery period, then the expense deduction determined pursuant to subsection (a) shall be subject to recapture and treated as Kansas taxable income allocated to this state. The amount of recapture shall be the Kansas expense deduction determined pursuant to subsection (a) multiplied by a fraction, the numerator of which is the number of years remaining in the applicable recovery period for such property as defined under section 168(c) or (g) of the internal revenue code, as amended, after such property is sold or removed from the state including the year of such disposition, and the denominator of which is the total number of years in such applicable recovery period.

(d) The situs of tangible property for purposes of claiming and recapture of the expense deduction shall be the physical location of such property. If such property is mobile, the situs shall be the physical location of the business operations from where such property is used or based. The situs of computer software shall be apportioned to Kansas based on the fraction, the numerator of which is the number of the taxpayer's users located in Kansas of licenses for such computer software used in the active conduct of the taxpayer's business operations, and the denominator of which is the total number of the taxpayer's users of the licenses for such computer software used in the active conduct of the taxpayer's business operations everywhere.

(e) Any member of a unitary group filing a combined report may elect to take an expense deduction pursuant to subsection (a) for an investment in property made by any member of the combined group, provided that the amount calculated pursuant to subsection (a) may only be deducted from the Kansas net income before expensing or recapture allocated to or apportioned to this state by such member making the election.

(f) The following table shall be used in determining the expense deduction

calculated pursuant to subsection (a):

IRC§168 Recover Period (year)	IRC§168(b)(1) Depreciation Method	Factors	
		IRC§168(b)(2) Depreciation Method	IRC§168(b)(3) or (g) Depreciation Method
2.5	*	.077	.092
3	.075	.091	.106
3.5	*	.102	.116
4	*	.114	.129
5	.116	.135	.150
6	*	.154	.170
6.5	*	.163	.179
7	.151	.173	.190
7.5	*	.181	.199
8	*	.191	.208
8.5	*	.199	.217
9	*	.208	.226
9.5	*	.216	.235
10	.198	.224	.244
10.5	*	.232	.252
11	*	.240	.261
11.5	*	.248	.269
12	*	.256	.277
12.5	*	.263	.285
13	*	.271	.293
13.5	*	.278	.300
14	*	.285	.308
15	*	.299	.323
16	*	.313	.337
16.5	*	.319	.344
17	*	.326	.351
18	*	.339	.365
19	*	.351	.378
20	*	.363	.391
22	*	.386	.415
24	*	.408	.438
25	*	.419	.449

*Not Applicable

(g) If a taxpayer elects to expense any investment pursuant to subsection (a), such taxpayer shall not be eligible for any tax credit, accelerated depreciation, or deduction for such investment allowed pursuant to K.S.A. 2011 Supp. 79-32,160a(e), 79-32,182b, 79-32,201, 79-32,204, 79-32,211, 79-32,218, 79-32,221, 79-32,222, 79-32,224, 79-32,227, 79-32,229, 79-32,232, 79-32,234, 79-32,237, 79-32,239, 79-32,246, 79-32,249, 79-32,252, 79-32,255, 79-32,256 and 79-32,258, and amendments thereto.

(h) This deduction shall not be available to any taxpayer making a modification under subsection (c)(xxi) of K.S.A. 79-32,117, and amendments thereto.

Sec. 16. K.S.A. 2011 Supp. 79-32,266 is hereby amended to read as follows: 79-32,266. (a) For taxable years commencing after December 31, 2010, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to 95% of the resident individual's income tax liability under the provisions of the Kansas income tax act for Kansas source income received from a qualified company

that is business income attributable to business activities conducted at the business facility, office, department or other operation relocated to Kansas when the taxpayer owns such qualified company and materially participates in such business activities conducted at such relocated business facility, office, department or other operation of such qualified company which qualified for benefits under the provisions of subsection (a)(1) of K.S.A. 74-50,212, and amendments thereto. A taxpayer shall be treated as materially participating in such qualified company's business activities conducted at such business facility, office, department or other operation relocated to Kansas only if the taxpayer is involved in such business activities of such qualified company on a basis which is regular, continuous and substantial. A taxpayer may claim the credit authorized by this section during any tax year in which the qualified company owned by the taxpayer qualifies for benefits under provisions of K.S.A. 74-50,212, and amendments thereto.

(b) Business income attributable to the business activities conducted at the business facility, office, department or other operation relocated to Kansas of a qualified company which qualified for benefits under the provisions of subsection (a)(1) of K.S.A. 74-50,212, and amendments thereto, shall be determined by multiplying the business income of the company apportioned to this state by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, and the denominator of which is three. For purposes of this subsection, the property factor is a fraction, the numerator of which is the average value of the company's real and tangible personal property owned or rented and used during the tax period at such relocated facility, office, department or other relocated operation in Kansas, and the denominator of which is the average value of the company's real and tangible personal property owned or rented and used within this state during the tax period. The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the company for compensation at such relocated facility, office, department or other relocated operation in Kansas, and the denominator of which is the total compensation paid by the company in this state during the tax period. The sales factor is a fraction, the numerator of which is the total sales of the relocated facility, office, department or other relocated operation in this state during the tax period, and the denominator of which is the total sales of the company in this state during the tax period.

(c) This credit shall not be available to any taxpayer making a modification under (c)(xxi) of K.S.A. 79-32,117, and amendments thereto.

(d) The secretary of revenue shall adopt rules and regulations regarding the filing of documents that support the qualifications of the taxpayer for the credit claimed pursuant to this section.:"

And by renumbering sections accordingly;

Also on page 36, in line 30, by striking "and 79-32,176"; also in line 30, by striking "40-"; in line 31, by striking "2246,"; in line 32, by striking "79-32,143, 79-32,197" and inserting "79-32,143a"; also in line 32, by striking "79-32,210, 79-3620,"; in line 33, by striking "79-3635, 79-3710" and inserting "79-32,266";

On page 1, in the title, in line 3, by striking all before "severance"; in line 4, by striking "and 79-32,176"; in line 5, by striking "40-2246,"; in line 6, by striking "79-32,143, 79-"; in line 7, by striking "32-197" and inserting "79-32,143a"; also in line 7, by striking "79-32,210, 79-3620, 79-3635, 79-3710" and inserting "79-32,266";

Also, on motion of Rep. Goico to amend **H Sub for SB 177**, the motion did not

prevail.

Also, roll call was demanded on motion of Rep. Goodman to amend **H Sub for SB 177** on page 21, following line 29, by inserting: "Sec. 17. K.S.A. 2011 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes as defined by K.S.A. 79-3301, and amendments thereto, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business, or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is

paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax

otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a *bona fide* resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of subsection (o) of K.S.A. 79-3603, and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by subsection (c) of K.S.A. 74-5807, and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids

pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2011 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 *et seq.*, and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 *et seq.*, 19-3522 *et seq.* or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of

the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by subsection (k) of K.S.A. 79-4216, and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto,

and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including

repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based mental retardation facility or mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based mental retardation facility or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for

the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) To transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from offsite, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; and (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but

that would otherwise qualify for exemption under subsection (3)(E).

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purpose at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by

low income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American Heart Association, Kansas Affiliate, Inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas Alliance for the Mentally Ill, Inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas Mental Illness Awareness Council for the purposes of advocacy for persons who are mentally ill and to education, research and support for them and their families;

(4) the American Diabetes Association Kansas Affiliate, Inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American Lung Association of Kansas, Inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's Disease and Related Disorders

Association, Inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the National Kidney Foundation of Kansas and Western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the Cystic Fibrosis Foundation, Heart of America Chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the Dreams Work, Inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the Dream Factory, Inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki Strings, Inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the International Association of Lions Clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American Cancer Society, Inc., for the purpose of eliminating cancer as a

major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the Habitat for Humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a

misdeemeanor and, upon conviction thereof, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c) (3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a

misdeemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same

from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas Academy of Science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a

food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and

amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac Center, Inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the West Sedgwick County-Sunrise Rotary Club and Sunrise Charitable Fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing,

maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for

any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 *et seq.*, and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 *et seq.*, and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of

such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or

compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by Jazz in the Woods, Inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing Jazz in the Woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac Education Foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection.

All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn

statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of Goodwill Industries or Easter Seals of Kansas, Inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf

of All American Beef Battalion, Inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services; and

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or mental retardation, or both, and all sales of any such property by or on behalf of sheltered living, inc. for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc. for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc. contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc. a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc. shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in subsection (g) of K.S.A. 79-3615, and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting; and
(hhhh) all sales of food and food ingredients. As used in this subsection, a sale of food and food ingredients does not include a sale of alcoholic beverages as defined in

subsection (c) of K.S.A. 79-3602, and amendments thereto; candy; dietary supplements as defined in subsection (jjj) of this section, food sold through vending machines; or sales of prepared food, soft drinks or tobacco as defined in subsection (qq) of K.S.A. 79-3602, and amendments thereto. As used in this subsection:

(1) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(2) "food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value;

(3) "food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment;

(4) (A) "prepared food" means any of the following:

(i) Food sold in a heated state or heated by the seller;

(ii) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(iii) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

(B) "Prepared food" does not include:

(i) Food that is only cut, repackaged or pasteurized by the seller;

(ii) eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the United States food and drug administration, in chapter 3, part 401.11 of its food code, so as to prevent foodborne illnesses;

(iii) if sold without eating utensils provided by the seller, bakery items, including breads, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(iv) if sold without eating utensils provided by the seller, food sold by a seller whose primary North American industry classification system, United States, 2002 edition, classification is manufacturing in sector 311, except subsection 3118;

(5) "soft drinks" means non alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products; soy, rice or similar milk substitutes; or greater than 50% of vegetable or fruit juice by volume.";

On page 25, by striking all in lines 14 through 43;

On page 26, by striking all in lines 1 through 20;

And by renumbering sections accordingly;

On page 36, in line 32, following "79-32,210," by inserting "79-3606, 79-3606g,";

On page 1, in the title, in line 4, following "zones;" by inserting "sales taxation, exemptions; eliminating food sales tax refund;"; in line 7, following "79-32,210," by inserting "79-3606,"; also in line 7, by striking "79-3635,"; in line 8, following "sections" by inserting "; also repealing K.S.A. 2011 Supp. 79-3606g and 79-3635";

On roll call, the vote was: Yeas 76; Nays 44; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens,

Brown, Bruchman, Burroughs, Calloway, Carlin, Collins, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Henderson, Henry, Hildabrand, Kiegerl, Kleeb, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Moxley, O'Brien, O'Hara, Osterman, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Rubin, Ruiz, Scapa, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brunk, Burgess, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Grange, Hayzlett, Hedke, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Knox, Mast, Mesa, Montgomery, O'Neal, Otto, Powell, Prescott, Proehl, Rhoades, Roth, Ryckman, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Suellentrop, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Hermanson, Kinzer, Peterson, Shultz, Weber.

The motion of Rep. Goodman prevailed.

Also, on motion of Rep. O'Hara to amend **H Sub for SB 177**, the motion did not prevail.

Also, on motion of Rep. Carlson, **H Sub for SB 177** be amended on page 20, in line 37, by striking "Commencing in tax year 2013, and all tax years thereafter," and inserting "If"; in line 38, by striking "shall not exceed" and inserting "exceeds"; in line 40, by striking "reduced by the"; by striking all in line 41; in line 42, by striking all before the period and inserting "such excess amount shall be refunded to the taxpayer";

Also, on motion of Rep. Billinger to amend **H Sub for SB 177**, the motion was withdrawn.

Also, roll call was demanded on motion of Rep. Mah to amend **H Sub for SB 177** on page 20, by striking all in lines 27 through 42;

And by renumbering sections accordingly;

On page 36, in line 32, by striking "79-32,205,";

On page 1, in the title, in line 7, by striking "79-32,205,";

On roll call, the vote was: Yeas 52; Nays 68; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Bollier, Brown, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goodman, Gordon, Grant, Henderson, Henry, Hermanson, Hildabrand, Hill, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, O'Brien, Otto, Patton, Pauls, Phelps, Roth, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Goico, Gonzalez, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hineman, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bruchman, M. Holmes, Kiegerl, Kinzer, Peterson.

The motion of Rep. Mah did not prevail.

Also, on further motion of Rep. Billinger, **H Sub for SB 177** be amended on page 1, following line 10, by inserting:

"New Section 1. (a) For taxable years commencing after December 31, 2012, and before January 1, 2016, there shall be allowed as a credit against the tax liability of a resident individual taxpayer who has been unemployed for at least 12 consecutive months an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Moves from a high unemployment county in Kansas and establishes domicile in a rural opportunity zone on or after July 1, 2012, and prior to January 1, 2016, for the purpose of accepting employment in such rural opportunity zone, remains employed for at least 12 consecutive months and was:

(A) Domiciled in this state but not in a county designated as a rural opportunity zone pursuant to K.S.A. 2011 Supp. 74-50,222, and amendments thereto, for at least 12 months immediately prior to establishing such resident individual's domicile in a rural opportunity zone in this state; or

(B) domiciled in this state in a county with high unemployment which is designated as a rural opportunity zone pursuant to K.S.A. 2011 Supp. 74-50,222, and amendments thereto, for at least 12 months immediately prior to establishing such resident individual's domicile in a different county designated rural opportunity zone in this state; and

(2) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than three consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 *et seq.*, and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 *et seq.*, and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

(e) For the purposes of this section, "high unemployment county" means a county which has an unemployment rate of at least 5% as determined by the secretary of labor.

(f) This section shall be part of and supplemental to the Kansas income tax act..

(g) As used in this section, "rural opportunity zones" means those counties designated as rural opportunity zones pursuant to K.S.A. 74-50,222 on January 1, 2012.";

And renumbering all remaining sections accordingly;

Also, on motion of Rep. Hineman, **H Sub for SB 177** be amended on page 29, by striking all in lines 41 through 43;

By striking all on pages 30 through 34;

On page 35, by striking all in lines 1 through 39;

And by renumbering the remaining sections accordingly;

On page 36, in line 33, by striking the comma and inserting "and"; also in line 33, by striking "and 79-4217";

On page 1, in the title, in line 3, by striking "severance tax, exemptions;"; in line 7, after "79-3635" by striking the comma and inserting "and"; also in line 7, by striking "and 79-4217";

Also, on motion of Rep. Hill, **H Sub for SB 177** be amended on page 21, following line 29, by inserting:

"Sec. 17. K.S.A. 2011 Supp. 79-32,211a is hereby amended to read as follows: 79-32,211a. (a) For taxable years commencing after December 31, 2006, subject to the provisions of subsection (d), any taxpayer which contributes, gifts or donates to a state-owned historic site or an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which such organization owns and operates an historic site, to be used for the purpose of restoration, preservation or operation of such state-owned historic site or historic site or the establishment or maintenance of an endowment to provide for the future stability of such state-owned historic site or historic site shall be allowed a credit against the tax imposed by the Kansas income tax act, the premiums tax upon insurance companies imposed pursuant to K.S.A. 40-252, and amendments thereto, and the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated in an amount equal to 50% of such contribution, gift or donation, if the total amount of such contribution, gift or donation is at least \$1,000. The amount of the credit shall not exceed \$2,500 for any one taxpayer in any one taxable year. In no event shall the total amount of credits allowed under this section exceed \$200,000 in any one fiscal year.

(b) The credit allowed by this section shall be deducted from the taxpayer's income, premiums or privilege tax liability imposed for the taxable year in which the contribution, gift or donation is made.

(c) If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer.

(d) The partnership historic site committee created pursuant to K.S.A. 2011 Supp. 75-2732, and amendments thereto, shall develop a prioritized list of historic sites other than state-owned historic sites to which contributions, gifts or donations to organizations which own and operate an historic site qualify for the tax credit provided in this section. As used in this section: (1) "Contributions, gifts or donations" includes monetary contributions, gifts or donations and in kind contributions, gifts or donations that have an established market value;

(2) "historic site" means any building or structure that is significant in the history, architecture, archeology or culture of the state of Kansas or Kansas communities or the nation. Such historic site must be listed on the national register of historic places or the register of historic Kansas places, be open to the public or have the potential to be open to the public for at least 500 hours a year and be owned and operated for the purpose of educating the public about a specific aspect of Kansas and United States history; and

(3) "state-owned historic site" means an historic site under the jurisdiction and

control of the state historical society.

(e) Any contribution, gift or donation that is the basis of the credit provided in this section shall not qualify as a qualified expenditure for the purpose of qualifying for the credit provided in K.S.A. 79-32,211, and amendments thereto.

~~(f) The provisions of this section shall expire on June 30, 2012.”;~~

And by renumbering sections accordingly;

On page 36, in line 32, after "79-32,210," by inserting "79-32,211a,";

On page 1, in the title, in line 7, after "79-32,210," by inserting "79-32,211a,";

Also, on motion of Rep. Slattery to amend **H Sub for SB 177**, the motion did not prevail.

Also, on motion of Rep. Moxley to amend **H Sub for SB 177**, the motion did not prevail.

Also, on motion of Rep. Frownfelter to amend **H Sub for SB 177**, the motion did not prevail.

Also, on motion of Rep. Wetta, **H Sub for SB 177** be amended on page 4, in line 34, after “Stanton,” by inserting “Sumner.”;

Also, on motion of Rep. Kleeb, **H Sub for SB 177** be amended on page 1, following line 10, by inserting: "New Section 1. The governing body of any city or county or any other taxing subdivision with sales tax authority pursuant to law may adopt an ordinance or resolution to opt out of the tax exemption as provided by the provisions of subsection (hhh) of K.S.A. 79-3606, and amendments thereto. Any such city or county or taxing subdivision may rescind the ordinance or resolution.";

And by renumbering the sections accordingly;

Also, roll call was demanded on motion of Rep. Schwab to amend **H Sub for SB 177** on page 6, following line 43, by inserting:

"(f) For tax year 2020 and all tax years thereafter, there shall be no income tax imposed under the provisions of this section."

On roll call, the vote was: Yeas 50; Nays 58; Present but not voting: 0; Absent or not voting: 17.

Yeas: Billinger, Boman, Brown, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Goico, Gonzalez, Goodman, Gordon, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, Howell, Kelley, Kelly, Knox, McLeland, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Rubin, Scapa, Schwab, Schwartz, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Nays: Alford, Aurand, Ballard, Bollier, Bowers, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Grant, Henderson, Henry, Hill, Hineman, C. Holmes, M. Holmes, Johnson, Kerschen, Kleeb, Kuether, Lane, Loganbill, Mast, McCray-Miller, Meier, Mesa, Moxley, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Arpke, Bethell, Bruchman, Garber, Grosserode, Huebert, Kiegerl, Kinzer, Landwehr, LeDoux, Mah, Otto, Peterson, Rhoades, Seiwert, Sloan, Worley.

The motion of Rep. Schwab did not prevail.

Roll call was demanded on motion to recommend **H Sub for SB 177** favorably for passage.

On roll call, the vote was: Yeas 68; Nays 53; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kleebe, Knox, LeDoux, Mast, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Powell, Prescott, Rhoades, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Bethell, Bollier, Brookens, Brown, Burroughs, Carlin, Colloton, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meier, Moxley, Pauls, Peck, Phelps, Phillips, Pottorff, Proehl, Roth, Rubin, Ruiz, Schroeder, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kiegerl, Kinzer, Landwehr, Peterson.

The motion prevailed and **H Sub for SB 177** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 252** be passed.

Committee on **Agriculture and Natural Resources** recommends **HB 2709** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2709," as follows:

"Substitute for HOUSE BILL NO. 2709

By Committee on Agriculture and Natural Resources

"AN ACT concerning hunting; relating to big game hunting violations and restitution; relating to trespassing; amending K.S.A. 2011 Supp. 21-5808, 21-5810, 32-1005, 32-1013 and 32-1032 and repealing the existing sections."; and the substitute bill be passed.

(**Sub HB 2709** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **Substitute for SB 159** be amended by substituting a new bill to be designated as "HOUSE Substitute for Substitute for SENATE BILL NO. 159," as follows:

"HOUSE Substitute for Substitute for SENATE BILL NO. 159

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; conditions for persons on probation; searches of parolees and persons on postrelease supervision; conditions for sex offenders; amending K.S.A. 2011 Supp. 21-6607 and 22-3717 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for Sub SB 159** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **SB 320** be amended

on page 2, in line 20, by striking "*Length of detention*" and inserting "*Basis for extended detention; findings and placement*"; in line 25, by striking ": (1)"; in line 28, by striking the semicolon and inserting a comma; also in line 28, by striking "(2)"; in line 30, by striking "(A)" and inserting "(1)"; in line 35, by striking "(B)" and inserting "(2)"; in line 38, by striking "(C)" and inserting "(3)";

On page 2, in line 2, by striking "(D)" and inserting "(4)"; and the bill be passed as amended.

Education Budget Committee recommends **HB 2777** be passed.

Committee on **Judiciary** recommends **SB 322**, **SB 422** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2784, AN ACT concerning motor vehicles; repealing certain fees and surcharges; VIPS/CAMA technology hardware fee; division of vehicles modernization surcharge; driver's license photo fee; amending K.S.A. 2011 Supp. 8-145, 8-243 and 8-267 and repealing the existing sections, by Committee on Appropriations.

HB 2785, AN ACT concerning the Kansas bioscience authority; amending K.S.A. 2011 Supp. 74-99b04, 74-99b08 and 74-99b17 and repealing the existing sections, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2718** from Committee on Appropriations and rereferral to Committee on Education.

REPORT ON ENROLLED BILLS

HB 2484, **HB 2569**, **HB 2624** reported correctly enrolled, properly signed and presented to the Governor on March 13, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6014 reported correctly enrolled and properly signed on March 13, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, March 14, 2012.

Journal of the House

FORTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 14, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

Rep. Kinzer was excused on verified illness.

Reps. Billinger and DeGraaf were excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Kent Rogers, pastor, Evangel United Methodist Church, Holton, and guest of Rep. LeDoux:

God, it's no longer just about me...but all about you.
Let me do your will...place me where you want me.
Put me to serving...let me be your hands and feet.
Let me work for you...or humbled for you.
Praised for you...or criticized for you.
Let me be satisfied...let me be uncomfortable.
Let me have it all...let me have nothing.
I offer everything to you.
Oh God, I find life in you...please live in me.
Yes! Yes! Yes!
Let this covenant made today...continue for eternity.
Amen.

The Pledge of Allegiance was led by Rep. Mesa.

Kansas Trivia Question – There is a truck stop at the intersection of Interstate 35 and U.S. 75 called Beto Junction. What do the letters Beto stand for?

Answer: Burlington, Emporia, Topeka, Ottawa

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. DeGraaf are spread upon the Journal:

Over the years, we have rightfully honored sport teams across the State that have honored us with their success! Today, I bring before you the best of B.E.S.T!!! - The Wichita Warriors Homeschool Robotics Team!!!

Constantly, the Wichita Warriors have outperformed other public, private, and

homeschool teams from across the nation. Nine out of the last eleven years this team took 1st place. The Handout before you details their success.

Annually, schools across Kansas bring their bands, cheerleaders, friends, and families to fill the WSU - Wichita State University Koch Arena for a day long competition that involves more than robots fighting robots. BEST is an action packed, brains over brawn, national competition that inspires and motivates students towards careers in engineering, science, and technology. Each year the problem solving challenge is different, students are required to design their robot, devise a stagey, create a prototype, sell their vision to judges, keep documentation on the entire engineering process, raise funds, create sales booth, and having a winning robot... all in six weeks. If you want to learn more, the team has videos, information, and will demonstrate their robot on the 4th floor of south wing, this afternoon.

Today I'm asking you to help me recognize and celebrate a very cost effective engineering initiative.

Andy Schlapp is here today on behalf of WSU and the College of Engineering to receive my letter of appreciation to WSU for over a decade of investing in the lives of 1000's of middle and high school students. Through WSU's vision, partnership, and relentless commitment to excellence, Wichita is known as the place to be for aerospace engineering. I also make mention in my letter of the recent death of Dick Holloway, a pioneer and visionary in the BEST Program. We extend our appreciation to his family for his role and legacy, in all the lives he has touched in such a special way.

Also here with us today is David Alexander. David is a WSU graduate, an engineer, and the Chief Network Architect for Spirit Aero Systems. He and his wife, Bev, homeschooled their three children and have served as mentors and in various Leadership roles for the Wichita Warriors Homeschool Robotic team over the last 10 years. Their inspiration has guided the team to first place finishes year after year.

The real heroes and leaders of tomorrow are represented here today by a few of the members of this year's Warriors Robotic team. This certificate commemorates the eleven years of local, regional, and national overwhelming success of the Wichita Warriors Homeschool Robotic Team and is being presented to this year's Team Leader, Brett Harms.

Over and over again Kansas Homeschoolers have shown the nation that the Air Capitol of the World is producing successful, inventive, motivated, organized, and resourceful students who are ready to take on the challenges of our future

Please join me in giving a rousing Kansas welcome and appreciation to WSU, the Alexanders, and the Wichita Homeschool Warriors.

Rep. DeGraaf presented the students a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Crum are spread upon the Journal:

The Douglass Girls High School Cross Country Team not only won the class 3A state meet, they set an all-time record for class 3A schools. The winning team total of 21 points beat the old record of 24 points set in 1990. The girls had an outstanding year winning every meet they ran in except one.

With us today are members Sarah Wright, MacKenzie McBeth, Savannah Wright, Suzie Wright, Cassie Hollenback and Kendra Howell. They are accompanied by Superintendent, Rob Reynolds; Athletic Director, Scott Dunham; and Coach, Leland Schaeffer.

Rep. Crum presented a House certificate to Coach Schaeffer.

POINT OF PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Carlin are spread upon the Journal:

Help me celebrate the birth of Sean Stanley Carlin, born March 13, 2012 at 3:14 pm in Michigan. He was 7 pounds, 11½ ounces and 21.25 inches long. He is our 13th grandchild.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2786, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; plan of death and long-term disability benefits; employer contributions; amending K.S.A. 2011 Supp. 74-4927 and repealing the existing section, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2785**.

Transportation: **HB 2784**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HCR 5006** from the Calendar under the heading General Orders and rereferral to Committee on Judiciary.

CONSENT CALENDAR

No objection was made to **SB 263**, **SB 265** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 263, AN ACT concerning credit unions; relating to the credit committee of a credit union; amending K.S.A. 17-2208, 17-2210 and 17-2211 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood,

Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Kinzer.

The bill passed.

SB 265, AN ACT concerning credit unions; relating to the administrator's approval of bylaw amendments; amending K.S.A. 17-2202 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Kinzer.

The bill passed.

H Sub for SB 177, AN ACT concerning taxation; relating to income and privilege tax rates; income tax deductions and credits and income determination; rural opportunity zones; sales taxation, exemptions; eliminating food sales tax refund; amending K.S.A. 79-32,128 and K.S.A. 2011 Supp. 74-50,222, 79-1107, 79-1108, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143a, 79-32,205, 79-3606, 79-32,211a, and 79-32,266 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g and 79-3635. was considered on final action.

On roll call, the vote was: Yeas 68; Nays 56; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Patton, Pottorff, Powell, Prescott, Rhoades, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Collins, Colloton, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Grant, Henderson, Henry, Hill, Hineman, M. Holmes, Kuetter, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, O'Hara, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Proehl, Roth, Rubin, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kinzer.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: My father gave me two things, a last name and a strong sense of right and wrong. While this bill offers several desirable outcomes, it contains one strong dose of voter bitterness.

It smells when most business persons will pay nothing—no state income tax while their own employees will pay and while their senior citizen neighbors will pay. This favoritism is untenable in a fair and just society.

How can we vote for this and still look our wage-earning constituents in the eye? We should be ashamed. This is a matter of respect for each of our voters.

I vote no on **H Sub for SB 177**—TOM MOXLEY

MR. SPEAKER: I vote yes on **H Sub for SB 177**, only to move tax reform forward and expect the bill to improve in conference committee. The low ending balance in the House bill, as amended on the floor, is currently unacceptable. When the bill comes back from the conference committee it must have a responsible ending balance to provide for adequate liquidity for the State. Sufficient liquidity is necessary for the State to pay its bills on time. Adequate liquidity through a responsible ending balance will be required for me to support in final action. — JIM DENNING, KELLY MEIGS, BOB MONTGOMERY, JOE SEIWERT, RON RYCKMAN, TRENT LEDOUX, STEVE HUEBERT, LESLIE OSTERMAN, AMANDA GROSSERODE, DAVID CRUM, RICK BILLINGER, GREG SMITH

MR. SPEAKER: I vote yes on **H Sub for SB 177** because I believe tax reform is critical to jumpstarting the economy. The evidence indicates that the byproduct of lowering rates is often increased revenue because of economic growth. Oklahoma is rapidly pursuing a tax plan that would drop the Oklahoma income tax rate from 5.25 to 2.5 in the first year. Kansas must act to remain competitive. While aspects of **H Sub for SB 177** currently give me pause, and I will evaluate the final product of the conference

committee, Kansas needs to move forward with responsible tax reform to keep our economy regionally competitive. – PEGGY MAST, JIM FAWCETT, BILL WOLF, BENNY L. BOMAN, TERRILOIS GREGORY, TOM ARPKE, RANDY GARBER, DENNIS HEDKE, JIM HOWELL, KYLE HOFFMAN, PETE DEGRAAF, JOSEPH SCAPA, STEVEN R. BRUNK, TERRY CALLOWAY, WILLIE PRESCOTT, MIKE BURGESS, LANA GORDON.

MR. SPEAKER: Those who support **H Sub for SB 177** are gambling the future of our great state for the purpose of political grandstanding and self promotion. I refuse to participate in this election year showboating. **H Sub for SB 177** is fiscally irresponsible and intellectually dishonest. I chose a conservative and rational position and Mr. Speaker I vote no on **H Sub for SB 177**. – NILE DILLMORE

MR. SPEAKER: We cannot legislate the weather or scenery in Kansas, but we can protect the quality of life, which is what people find desirable about a state. Good schools; good early childhood programs; an affordable college education; good roads; quality services for veterans, seniors and the disabled; and healthy communities are what will bring people to Kansas and encourage them to stay. Mr. Speaker, I vote NO on **H Sub for SB 177**, which creates a permanent budget crisis, by reducing state revenues by billions of dollars, without any guarantee of job creation. – ED TRIMMER, KATHY WOLFE MOORE, ANNIE TIETZE, SYDNEY CARLIN, MIKE SLATTERY, GAIL FINNEY, LOUIS E. RUIZ, PONKA-WE VICTORS

MR. SPEAKER: While I share the supporters of **H Sub for SB 177** ambitions for our state, I refuse to support a scheme to increase taxes on the poorest of working families while condemning us to a budgetary crisis for year to come. I cannot and will not support a policy that will gut our ability to provide for our basic responsibilities, fund our children's education and assist those most in need. I vote no. – MELODY McCRAY MILLER, VALDENIA WINN, BRODERICK HENDERSON

MR. SPEAKER: Fiscal policy is an important tool in regulating and growing our economy. The original bill is a step in the right direction to improve economic conditions and to grow jobs. During our long discussions yesterday, we weakened this bill, and we heard some astonishing arguments. We were told that lowering the income tax is desirable, but eliminating it is unacceptable. We eliminated sales taxes on food to help the poor at a cost of \$370 billion, while all of us could and should pay this tax, and the poor could be reimbursed or compensated more effectively. But, not to worry, we then allowed jurisdictions to opt out, which means in some parts of the state, everyone pays, and in other parts, no one does.

Even though the step towards fiscal sanity is shorter, I vote “aye” on **H Sub for SB 177**. – S. MIKE KIEGERL

MR. SPEAKER: Kansas needs to have a balanced, equitable, efficient and competitive tax system. There are opportunities to make changes consistent with those goals while maintaining commitments, including those to our education system, our workers and retirees, public safety and our social safety net. With our economy in an unmistakable improving trend, I disagree with the formulaic approach to income tax reduction as well as the timing of this tax reform. I vote no on **H Sub for SB 177**.-- DON HILL

MR. SPEAKER: A constituent sent this note: "I'm urging you as a family of five living below the poverty level to PLEASE not cut the earned income credit! We use this income at tax time to pay off bills that we're not able to pay throughout the year. I know we're not alone in doing so. If this credit is cut or removed, you may be forcing many household to choose even more so over which to provide for their families---food, electricity, medical and prescriptions, etc."

H Sub for SB 177 is a transfer of wealth from the poor to the rich. I vote no on **H Sub for SB 177**. – ANN MAH

MR. SPEAKER: For those like me who believe that the surest way to stimulate the Kansas economy, grow jobs, broaden the tax base and increase revenues is to immediately enact significant reductions in personal income tax rates and eliminate the individual income tax in Kansas completely as soon as possible, the Governor's tax plan, rather than the House alternative, is the answer. **H Sub for SB 177** will not substantially reduce, let alone eliminate, the Kansas income tax in the foreseeable future. The Governor's tax plan will. I vote no on **H Sub SB 177**. – JOHN RUBIN

MR. SPEAKER: My constituents tell me that as the State emerges from recession they would like me to invest in economic development by restoring funding to K-12 and create a rainy day fund. If talk turns to tax relief they mention property tax relief first. This bill heads in the wrong direction. Also, this bill weakens the PEAK incentive that is proven to bring high wage jobs to Salina and Kansas. Throw in the 3% trigger on spending that will cause problems when inflation comes and you have an ideological stew that is unpalatable. I vote with my homies, I vote no on **H Sub for SB 177**. – CHARLES B. ROTH

MR. SPEAKER: I vote yes on **H Sub for SB 177** for tax reform in Kansas to grow the economy and jobs. If this bill goes to conference committee, I am confident we can arrive at equitable solutions to address concerns raised by amendments added by the committee of the whole. – RICHARD CARLSON, MARIO GOICO

MR. SPEAKER: I vote yes on **H Sub for SB 177**. I do so with grave reservations. I am greatly disappointed that the House position all but abandons a pro-growth low income tax policy. I am supporting this bill because of the sales tax provision. There is a lack of other tax relief and this is the only strong provision but is likely to be ripped out later in the process. In reality this bill is not a sprint to zero income tax but rather an apathetic, dawdling saunter. – ANTHONY BROWN, BRETT HILDABRAND

MR. SPEAKER: When this bill comes back from Conference Committee, I may be able to support it. But until we know how KPERS reform turns out, I am not able to support a bill that leaves the State with an uncertain ending balance. Therefore, I vote NO on **H Sub for SB 177** at this time. – MITCH HOLMES

MR. SPEAKER: I vote yes on **H Sub for SB 177** because I believe tax reform is critical to jump starting the economy. The evidence indicates that the byproduct of lowering rates is often increased revenue because of economic growth. Oklahoma is rapidly pursuing a tax plan that would drop the Oklahoma income tax rate from 5.25 to 2.5 in the first year. Kansas must act to remain competitive. While aspects of SB 177 currently give me pause, and I will evaluate the final product of the conference

committee, Kansas needs to move forward with responsible tax reform to keep our economy regionally competitive. — REYNALDO MESA, KAY WOLF, SHERYL SPALDING, RON WORLEY, MARVIN KLEEB

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Crum in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Crum, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 298; HB 2749, HB 2757; SB 316** be passed.

On motion of Rep. Goico, SB 334 be amended on page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-243 is hereby amended to read as follows: 8-243.(a) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act the driver's license as applied for by the applicant. Such license shall bear the class or classes of motor vehicles which the licensee is entitled to drive, a distinguishing number assigned to the licensee, the full legal name, date of birth, gender, address of principal residence and a brief description of the licensee, a colored digital photograph of the licensee, a facsimile of the signature of the licensee and the statement provided for in subsection (b). No driver's license shall be valid until it has been signed by the licensee. All drivers' licenses issued to persons under the age of 21 years shall be readily distinguishable from licenses issued to persons age 21 years or older. In addition, all drivers' licenses issued to persons under the age of 18 years shall also be readily distinguishable from licenses issued to persons age 18 years or older. The secretary of revenue shall implement a vertical format to make drivers' licenses issued to persons under the age of 21 more readily distinguishable. Except as otherwise provided, no driver's license issued by the division shall be valid until a colored digital photograph of such licensee has been taken and verified before being placed on the driver's license. The secretary of revenue shall prescribe a fee of not more than \$8 and upon the payment of such fee, the division shall cause a colored digital photograph of such applicant to be placed on the driver's license. Upon payment of such fee prescribed by the secretary of revenue, plus payment of the fee required by K.S.A. 8-246, and amendments thereto, for issuance of a new license, the division shall issue to such licensee a new license containing a colored digital photograph of such licensee. A driver's license which does not contain the principal address as required may be issued to persons who are program participants pursuant to K.S.A. 2011 Supp. 75-455, and amendments thereto, upon payment of the fee required by K.S.A. 8-246, and amendments thereto. All Kansas drivers' licenses and identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication of the document for fraudulent purposes. The secretary of revenue shall incorporate common machine-readable technology into all Kansas drivers' licenses and identification cards.

(b) All Kansas drivers' licenses issued to any person 16 years of age or older shall contain a form which provides a statement for making a gift of all or any part of the body of the licensee in accordance with the revised uniform anatomical gift act, K.S.A. 2011 Supp. 65-3220 through 65-3244, and amendments thereto, except as otherwise provided by this subsection. The statement to be effective shall be signed by the

licensee in the presence of two witnesses who shall sign the statement in the presence of the donor. The gift becomes effective upon the death of the donor. Delivery of the license during the donor's lifetime is not necessary to make a valid gift. Any valid gift statement executed prior to July 1, 1994, shall remain effective until invalidated. The word "Donor" shall be placed on the front of a licensee's driver's license, indicating that the statement for making an anatomical gift under this subsection has been executed by such licensee.

(c) Any person who is deaf or hard of hearing may request that the division issue to such person a driver's license which is readily distinguishable from drivers' licenses issued to other drivers and upon such request the division shall issue such license. Drivers' licenses issued to persons who are deaf or hard of hearing and under the age of 21 years shall be readily distinguishable from drivers' licenses issued to persons who are deaf or hard of hearing and 21 years of age or older. Upon satisfaction of subsection (a), the division shall issue a receipt of application permitting the operation of a vehicle consistent with the requested class, if there are no other restrictions or limitations, pending the division's verification of the information and production of a driver's license.

(d) A driver's license issued to a person required to be registered under K.S.A. 22-4901 et seq., and amendments thereto, shall be assigned a distinguishing number by the division which will readily indicate to law enforcement officers that such person is a registered offender. The division shall develop a numbering system to implement the provisions of this subsection.

(e) (1) Any person who is a veteran may request that the division issue to such person a driver's license which shall include the designation "VETERAN" in an available space on the face of the driver's license. In order to receive a license described in this subsection, the veteran must provide proof of the veteran's military service and honorable discharge including a copy of the veteran's DD214 form.

(2) As used in this subsection, "veteran" means a person who:

(A) Has served in:

(i) the army, navy, air force, coast guard or marine corps of the United States; or

(ii) the Kansas national guard; and

(B) has been honorably discharged from the branch of service in which the person served.

(3) The director of vehicles may adopt any rules and regulations necessary to carry out the provisions of this subsection."

And by renumbering sections accordingly;

Also on page 2, in line 4, after "Supp." by inserting "8-243 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "commercial"; in line 3, after the semicolon by inserting "providing for a veteran designation;"; also in line 3, after "Supp." by inserting "8-243 and"; in line 4, by striking "section"; and inserting "sections"; and **SB 334** be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2431** be adopted and also committee report amending the substitute bill be adopted; also, on motion of Rep. Hayzlett, be amended on page 3, in line 2, after "treasurer" by inserting "or the state treasurer's designee"; also in line 2, by striking "form" and inserting "from"; and the substitute bill be passed as amended.

Committee report to **HB 2755** be adopted; also, on motion of Rep. Schwartz, be amended on page 1, in line 21, after "fairgrounds" by inserting "constructed on or after July 1, 2012"; and the bill be passed as amended.

Committee report to **SB 310** be adopted; also, on motion of Rep. Kerschen, be amended on page 2, in line 7, by striking all after the period; by striking all in lines 8 and 9;

On page 4, in line 13, by striking all after the period; by striking all in lines 14 and 15; and **SB 310** be passed as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hayzlett, the House concurred in Senate amendments to **HB 2459**, AN ACT concerning driver's licenses; relating to motorcycles; amending K.S.A. 2011 Supp. 8-240 and repealing the existing section.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleebl, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, Bollier, DeGraaf, S. Gatewood, Hermanson, Kinzer, Landwehr, Slattery, Swanson.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2745** be passed.

Committee on **Appropriations** recommends **HB 2746** be amended on page 1, in line 8, by striking "2013" and inserting "2018"; in line 9, by striking "2014" and inserting "2019"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2787, AN ACT concerning enforcement of support orders; relating to income withholding; income withholding act; support enforcement services; amending K.S.A.

39-7,147 and K.S.A. 2011 Supp. 23-3102, 23-3103, 23-3104, 23-3105 and 39-756 and repealing the existing sections, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced that Rep. Kleeb would replace Rep. Kinzer on the Committee on Redistricting for today.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 294** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 294," as follows:

"HOUSE Substitute for SENATE BILL NO. 294

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 792979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 294** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2729 reported correctly engrossed March 14, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, March 15, 2012.

Journal of the House

FORTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 15, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Reps. Collins and Mesa were excused on excused absence by the Speaker.

Prayer by guest chaplain, Father James Gordon, St. John Vianney Catholic Church, Maple Hill, guest of Rep. Kiegerl:

Heavenly Father, Creator of Heaven and Earth, and Creator of all life, we thank You for all the blessings that You have bestowed upon us and upon this great Nation of ours and upon this great State of Kansas. We also thank you for those Representatives that You have given us that truly acknowledge Your absolute rights over all men and women.

We call upon you now, in this urgent time of need for our country, to guide us to the true freedom for which our nation was founded for: That is the freedom to do good, with all the rights of life, liberty, and pursuit of happiness. We know that we cannot be truly happy unless we do the good You created us for by exercising our freedom well and responsibly.

We ask you for the grace to bring us back to the principles that have made this state and this nation great. We ask you to strengthen our understanding of traditional marriage; one man and one woman, we ask you to bring us back to virtuous morals in society, morals that kept us from killing a child in the womb through abortion. We ask you to defend us now in the fight for true religious freedom and freedom of conscience, that seems to be threatened now in the public sphere. We know that a truly formed conscience is what keeps order in the person and in society. We reiterate the words of St. Thomas More, who was once a Statesman and the Chancellor of England, who said. "when men forsake their own conscience for the sake of public duties, they lead their nation down a short road to chaos."

He acknowledged his responsibility before all the men and women that he came to serve and his responsibility before God, who He knew would be his judge in all his decisions.

Therefore, we ask You for the grace for all those who serve You in public office to defend life, liberty, and the pursuit of happiness, and to uphold the natural law and the rights of God.

We ask you to keep us one nation under God, and not one Nation without God.

We thank you for these men and women here whom we know you have blessed by giving them this awesome responsibility. We ask You for the necessary graces for them and bring many blessings upon them. We ask all this through Jesus Christ, Our Lord, Who lives and reigns with You forever and ever. Amen.

The Pledge of Allegiance was led by Rep. Denning.

Kansas Trivia Question – What city in Kansas is named for the Indian words meaning "place to dig potatoes?"

Answer: Topeka

POINT OF PERSONAL PRIVILEGE

There being no objection, the following remarks of by Rep. Rhoades are spread upon the Journal:

The Kansas Kidney Coalition's mission is to improve the lives of Kansans with kidney disease by providing education through sharing information, collaborating by building connections and working together, and advocating for positive change and better services for people living with kidney failure.

- Over 2,579 Kansans receive life sustaining dialysis treatments.
- Kansas had over 800 new cases of kidney failure, also known as End Stage Renal Disease (ESRD), reported in 2009.
- 26 million people in the U.S. have chronic kidney disease, or CKD, which typically progresses to kidney failure. Most are unaware of their condition.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Smith are spread upon the Journal:

It is my pleasure to welcome members and staff of the Shawnee Mission West High School Marching Band to the House Chamber today. I am proud to be a Viking and a graduate of Shawnee Mission West. The band has represented the great state of Kansas a record seven times in the City of London, England's New Years Day Parade. They most recently were there on January 1, 2012. It is a great honor to be in the parade and bands are allowed to participate by invitation only. Even more amazing is that this trip is funded by the students through private fundraising efforts. The fact that the Shawnee Mission West Vikings have been invited seven times to represent Kansas in this parade speaks volumes of the dedication these teachers and students have to education and music. They are truly international ambassadors for the state of Kansas. Accepting this certificate on behalf of the band is the Director of Bands, Bill Thomas. Please recognize the achievement of my high school alma mater and of these outstanding

teachers and students!

Rep. Smith presented a framed House certificate to Director Bill Thomas.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Gregory are spread upon the Journal:

I want to tell you about the Campus That Students Built.

Neosho County Community College used to use existing space in hospitals, shopping malls, and high schools and then their own metal building to offer education to Franklin County. It became abundantly clear that a new building would need to be built to accommodate a growing student body.

The Trustees of NCCC put in place a building fee, paid for by Ottawa campus students. This fee was saved for years until it had reached \$1.2 million dollars for a campus down payment. The College wrote & received grants as well as private gifts toward new construction costs.

With this revenue the Trustees and President hired a fantastic team:

Kyle Trendel of Devore and Associates of Ottawa as the architects,
Wendy Van Duyne of Bartlett & West as the engineers,
and Josh Walker of Loyd Builders, for the contractor.

The College team was led by Ben Smith, Vice President for Operations and Dr. Brian Inbody, President of NCCC. Nine months from ground breaking, the campus opened in March 2011.

Together they built a 52,000 square foot campus, with no state aid or local tax support. The new campus cost \$8.1 million, nearly all of it paid for by student fees, grants and gifts. This team achieved amazing quality for only \$118 a square foot where it usually costs well over \$230/ sq ft. The Ottawa campus has the latest in educational design, including a simulated hospital for health care programs, and a teaching and learning center that combines tutoring, advisement, computer access, library services, and great lounge space all in one.

These accomplishments lead to Neosho County Community College to be recognized from more than 350 nominations in the nation for the design, financing, and implementation of the Ottawa Campus. On January 31, 2012, The Bellwether Finalist Award from the Community College Futures Association through the University of Florida was presented to Neosho County Community College.

We are very proud of what they have accomplished in Franklin County. Please join me in recognizing President Inbody and the entire team for the Neosho County Community College Ottawa Campus.

Rep. Gregory presented a framed House certificate to President Inbody.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2788, AN ACT concerning the use of state appropriated moneys, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Judiciary: **HB 2787**.

Pensions and Benefits: **HB 2786**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2431, AN ACT concerning distinctive license plates; amending K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Mesa, Swanson.

The substitute bill passed, as amended.

HB 2749, AN ACT concerning school districts; relating to the regulation of school buses; amending K.S.A. 2011 Supp. 8-2009a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman,

Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, D. Gatewood, S. Gatewood, Lane, McCray-Miller, Ward.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed.

HB 2755, AN ACT concerning the state fair; relating to capital improvements on the state fairgrounds, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed, as amended.

HB 2757, AN ACT concerning roads and bridges; relating to memorial bridges; designating bridge no. 060 on United States highway 77 in Marshall county as the SP4 Michael T. Martin memorial bridge; designating bridge no. 054 on United States highway 36 in Marshall county as the SGT Joseph A. Zutterman Jr. memorial bridge, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa,

Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Donohoe, Gordon, Kiegerl, McLeland, Ryckman, Tyson.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed.

SB 298, AN ACT regulating traffic; relating to penalties for violating size and weight laws, exceptions; amending K.S.A. 2011 Supp. 8-1901 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, S. Gatewood, Lane, Ward.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed.

SB 310, AN ACT concerning water; relating to local enhanced management areas; groundwater management districts, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze,

Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Tyson.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed, as amended.

SB 316, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to updating references and corresponding changes due to transfer of powers and duties from the department of commerce; amending K.S.A. 2-2473, 19-2803b, 19-2803d, 19-2817, 19-2822, 19-2835, 19-2836, 19-2839, 19-2844, 19-2844a, 19-2855, 19-2868, 19-2873, 19-2894, 19-3543, 32-802, 32-806, 32-807, 32-809, 32-832, 32-839, 32-840, 32-845, 32-846, 32-869, 32-874, 32-874c, 32-886, 32-887, 32-888, 32-976, 32-1040, 32-1041, 32-1049, 32-1051, 32-1052, 32-1053, 32-1203, 49-408, 58-3221, 58-3225, 65-189e, 68-406, 74-134, 74-3322, 74-5032, 74-5032a, 74-5090, 74-6614, 74-7901, 75-3339, 75-3907, 75-3908, 75-3910, 76-463, 79-3221e, 79-32,203, 82a-209 and 82a-326 and K.S.A. 2011 Supp. 2-1334, 21-5810, 21-6416, 32-701, 32-801, 32-805, 32-833, 32-844, 32-873, 32-874a, 32-874b, 32-874d, 32-874e, 32-906, 32-918, 32-930, 32-932, 32-938, 32-966, 32-996, 32-997, 32-998, 32-999, 32-1001, 32-1004, 32-1005, 32-1031, 32-1032, 32-1049a, 32-1050, 32-1054, 32-1062, 32-1063, 32-1064, 32-1066, 32-1102, 32-1112, 32-1174, 32-1306, 32-1308, 32-1310, 47-2101, 65-3424b, 65-3483, 65-5703, 74-5,133, 74-2622, 74-4722, 74-4911f, 74-5005, 74-5089, 74-5091, 74-50,167, 74-50,168, 74-50,173, 74-5602, 74-9001, 74-9002, 74-9003, 74-9004, 74-9201, 75-1253, 75-2720, 75-2935, 75-37,121, 77-415, 77-421, 79-201a, 79-3221h, 79-3234, 79-3234b, 79-5212, 82a-220, 82a-903, 82a-1501, 82a-2001 and 82a-2204 and repealing the existing sections; also repealing K.S.A. 73-2101, 73-2102, 73-2103 and 73-2104 and K.S.A. 2011 Supp. 74-9005, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Feuerborn, D. Gatewood, S. Gatewood, Lane, LeDoux.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed.

SB 334, AN ACT concerning motor vehicles; relating to drivers' licenses; exempting drivers with military commercial driving experience from testing requirements; providing for a veteran designation; amending K.S.A. 2011 Supp. 8-243 and 8-2,133 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Mesa.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Prescott in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Prescott, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 290** be passed.

Committee report to **SB 303** be adopted; and the bill be passed as amended.

Committee report to **HB 2521** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2634** be adopted; also, on motion of Rep. Aurand be amended on page 2, in line 38, after "teacher" by inserting "who has earned due process protections and rights under K.S.A. 72-5445, and amendments thereto,"; and the substitute bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **SB 306** be amended on page 1, in line 11, by striking "or any crime" and inserting "of a victim";

On page 2, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 394** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) The secretary of corrections shall establish the justice

reinvestment working group.

(b) The working group shall consist of the following members:

- (1) One senator appointed by the president of the senate;
- (2) one representative appointed by the speaker of the house of representatives;
- (3) one senator appointed by the minority leader of the senate;
- (4) one representative appointed by the minority leader of the house of representatives;
- (5) one member appointed by the governor;
- (6) one member appointed by the attorney general;
- (7) one member appointed by the chief justice of the supreme court;
- (8) one member shall represent court services officers, appointed by the chief justice of the supreme court;
- (9) the secretary of corrections;
- (10) the director of victims services of the department of corrections;
- (11) one member shall represent community corrections, appointed by the secretary of corrections;
- (12) one member of the prisoner review board, appointed by the secretary of corrections;
- (13) one member shall be a prosecuting attorney, appointed by the Kansas county and district attorneys association;
- (14) one member shall represent public defenders, appointed by the executive director of the state board of indigents' defense services;
- (15) one member shall represent mental health providers, appointed by the secretary for aging and disability services;
- (16) one member shall be a sheriff, appointed by the Kansas sheriff's association; and
- (17) one member shall be a law enforcement officer, appointed by the Kansas association of chiefs of police.

(c) The member appointed by the attorney general shall serve as chairperson of the working group. The working group shall meet on call of the chairperson or on the request of nine members of the working group. Nine members of the working group shall constitute a quorum. All actions of the working group shall be taken by a majority of all members of the working group.

(d) The working group shall undertake a study of the data-driven, fiscally responsible policies and practices that can increase public safety and reduce recidivism and spending on corrections in Kansas.

(e) On or before January 1, 2013, the working group shall submit a report of the working group's activities and recommendations regarding increased public safety and reducing recidivism and spending on corrections in Kansas to the secretary of the senate and the chief clerk of the house of representatives.

(f) The members of the working group attending meetings of such working group, or attending a subcommittee meeting thereof authorized by such working group, shall receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto, upon vouchers approved by the secretary of corrections or a person or persons designated by the secretary.";

And by redesignating sections accordingly;

Also on page 1, in the title, in line 1, after "corrections;" by inserting "establishing

the justice reinvestment working group;"; and the bill be passed as amended.

Education Budget Committee recommends **HB 2767** be amended on page 1, in line 6, by striking "6" and inserting "7"; in line 9, by striking "6" and inserting "7";

On page 2, in line 4, after "(3)" by inserting "(A)"; in line 5, after "or" by inserting "(B)"; in line 7, by striking "seven" and inserting "six"; following line 13, by inserting "(l) "nonproficient pupil" means a pupil who has scored less than proficient on the most recent mathematics or reading state assessment;" and by inserting a paragraph; and by redesignating subsections accordingly;

Also on page 2, in line 17, by striking "6" and inserting "7"; after line 25 by inserting the following:

"(q) "school district" or "district" means any unified school district organized and operating under the laws of this state;";

And by redesignating subsections accordingly;

Also on page 2, in line 37, by striking "qualified"; also in line 37, by striking "by receiving"; by striking all in line 38; in line 39, by striking all before the period; in line 43, by striking "6" and inserting "7";

On page 3, in line 3, by striking "seven" and inserting "six"; in line 5, after "program" by inserting ", and whether such eligible student qualifies as a nonproficient pupil, low-income eligible student or special educational eligible student, provided the state board and the board of education of the school district in which the eligible student was enrolled the previous school year have received written consent from such eligible student's parent authorizing the release of such information";

On page 4, in line 27, by striking "disperse" and inserting "disburse"; in line 30, by striking "dispersed" and inserting "disbursed"; in line 33, by striking "dispersed" and inserting "disbursed"; in line 34, by striking "dispersed" and inserting "disbursed";

On page 5, in line 2, after "pupil" by inserting ", except that if such eligible student is under the age of six years, then the monetary amount under this paragraph shall be proportional to such eligible student's attendance in the qualified school"; in line 5, after "pupil" by inserting ", except that if such eligible student is under the age of six years, then the monetary amount under this paragraph shall be proportional to such eligible student's attendance in the qualified school"; in line 6, by striking "The total number of"; in line 7, by striking "to the following" and inserting "as follows"; in line 8, by striking all after "(A)"; by striking all in lines 9 and 10; in line 11, by striking all before the semicolon and inserting "No scholarship granting organization shall award a new educational scholarship to an eligible student unless such scholarship granting organization has obtained a certificate of eligibility under section 5, and amendments thereto, for such eligible student"; in line 12, by striking all after "(B)"; by striking all in lines 13 through 15; in line 16, by striking "(C)"; in line 17, by striking "seven" and inserting "six"; in line 19, by striking the period; after line 19, by inserting the following:

"; and

(C) new educational scholarships provided to eligible students shall be reasonably reflective of the composition of the district in which such eligible student was enrolled in the previous school year, including, but not limited to, the proportion of nonproficient pupils in such district.";

Also on page 5, in line 20, after "(e)" by inserting "A scholarship granting organization may continue to provide an educational scholarship to an eligible student

who received an educational scholarship under this program in the year immediately preceding the current school year. Such educational scholarship shall be in the following amount:

(1) If the eligible student had been awarded an educational scholarship under subsection (d)(1)(A), such educational scholarship shall be in an amount equal to the amount provided to the eligible student in the year immediately preceding the current school year or 75% of the product of the adjusted enrollment multiplied by the base state aid per pupil, whichever is greater; or

(2) if the eligible student had been awarded an educational scholarship under subsection (d)(1)(B), such educational scholarship shall be in an amount equal to the amount provided to the eligible student in the year immediately preceding the current school year or 75% of the base state aid per pupil, whichever is greater.

(f)";

And by redesignating subsections accordingly;

Also on page 5, in line 26, after "attendance." by inserting:

"If the eligible student transfers to a public elementary or secondary school operated by a school district and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-8210, and amendments thereto, to provide for the education of such eligible student."; in line 43, after "students" by inserting ", the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period to nonproficient pupils";

On page 6, following line 2, by inserting:

"Sec. 5. (a) Prior to the commencement of each school year, upon application by the scholarship granting organization, the state board shall issue a certificate of eligibility to a scholarship granting organization, subject to the following limitations:

(1) The total number of certificates of eligibility issued for each district shall not exceed an amount equal to 2% of the previous year's enrollment of the district of an eligible public school, except that if the district has a declining enrollment, then such number shall not exceed an amount equal to 1% of the previous year's enrollment of such district;

(2) the scholarship granting organization shall provide documentation to the state board, verifying that the scholarship granting organization has offered a new educational scholarship to an eligible student subject to receipt of a certificate of eligibility; and

(3) the certificate of eligibility shall be restricted to the eligible student on the application.

(b) The state board is authorized to adopt rules and regulations fixing the amount of the fee for the certificate of eligibility but such amount shall not exceed \$20.

(c) There is hereby established in the state treasury the Kansas education liberty program fee fund which shall be administered by the state board. All expenditures from the Kansas education liberty program fee fund shall be for the administration of certificates of eligibility to scholarship granting organizations in accordance with this section. All expenditures from the Kansas education liberty program fee fund shall be

made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board or the designee of the state board. All moneys received under this section for the issuance of certificates of eligibility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 74-4215, and amendments thereto, and shall be credited to the Kansas education liberty program fee fund.

(d) The state board shall adopt rules and regulations to implement the provisions of this section.";

And by renumbering sections accordingly;

Also on page 6, in line 31, by striking "90%" and inserting "100%"; in line 37, after "(c)" by inserting "The amount of the credit shall not exceed \$100,000 for any one taxpayer in any one taxable year.

(d)";

And by redesignating subsections accordingly;

On page 7, in line 9, by inserting a comma after "2013"; and the bill be passed as amended.

Committee on **Elections** recommends **SB 17** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 17," as follows:

"HOUSE Substitute for SENATE BILL NO. 17

By Committee on Elections

"AN ACT concerning elections; relating to voter identification requirements; amending K.S.A. 2011 Supp. 25-2309, 25-2908 and 65-2418 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 17** was thereupon introduced and read by title.)

General Government Budget Committee recommends **SB 417** be passed.

General Government Budget Committee recommends **SB 353** be passed, and because the committee is of the opinion that the bill is non-controversial, be placed on the consent calendar.

Committee on **Insurance** recommends **HB 2373** be amended on page 1, by striking all in lines 6 through 35;

By striking all on page 2;

On page 3, by striking all in lines 1 through 16 and inserting "Section 1. K.S.A. 2011 Supp. 40-401 is hereby amended to read as follows: 40-401. Any 10 or more persons, a majority of whom are citizens of this state, may associate in accordance with the provisions of this code and form an incorporated company, upon either the stock or mutual plan, to make insurance upon the lives of persons and every insurance appertaining thereto or connected therewith and to grant, purchase or dispose of annuities, and to issue funding agreements, guaranteed investment contracts and synthetic guaranteed investment contracts. Such companies may incorporate: (a) In their policies provisions or conditions for the waiver of premiums or for the granting of an annuity to the insured, or for special surrender values or other benefits in the event the insured shall from any cause become unemployed or totally and permanently disabled; (b) in their policies provisions for acceleration of life or annuity benefits in advance of the time they would otherwise be payable subject to such reserve and other regulatory standards as the commissioner may prescribe by rules and regulations, except that any provision providing for acceleration of life or annuity benefits for persons diagnosed as having a medical condition usually requiring continuous confinement for the rest of the

person's life in a nursing home or other eligible facility as defined in the policy, may also provide for acceleration of benefits upon diagnosis of such condition even if the person is not confined in a nursing home or similar facility; (c) in their policies and annuity contracts provisions or conditions for waiver of surrender charges upon terms and conditions as specified in the policy or contract, subject to rules and regulations adopted by the commissioner of insurance; or (d) in their policies provisions for the payment of a larger sum if death is caused by accident than if it results from any other causes.

Prior to the payment of any accelerated benefit, the insurer shall receive from any assignee or irrevocable beneficiary of the policy a signed acknowledgment of concurrence for the payment. For the purposes of this section, "totally and permanently disabled" means disabled continuously for a period, such period to be specified in any such provision, of not less than 60 days nor more than one year, except this provision shall not apply to and specifically excludes group life insurance. Such company may make insurance on the health of individuals, against accidental personal injury, disablement or death and against loss, liability or expense on account thereof. Such company so transacting such health and accident insurance business, or either kind, shall maintain statutory and separate reserves for such business, shall issue such contracts only in separate policies except as otherwise permitted herein and shall make separate reports to the commissioner of insurance of the premiums received and expenses and losses incurred in connection with such business, except that such reports will not be required for accelerated benefits incorporated in a life or annuity policy. Long-term care insurance meeting the applicable requirements of K.S.A. 40-2227 and 40-2228, and amendments thereto, may be incorporated in life insurance policies and annuities if approved by the commissioner.

The business of life insurance in this state shall not be in any way conducted or transacted by any company which in this state makes insurance on marine, fire, inland or any other like risks, except that; life: (a) Life, health and accident insurance on the group or industrial plan may be combined in one policy, which shall show the premium charged for life insurance and the premium charged for health and accident insurance, and the insured, at the insured's option, may discontinue either and by payment of the stated premium continue the other; and (b) (1) specified disease or critical illness riders, or both, meeting the applicable requirements of K.S.A. 40-2201 et seq., and amendments thereto, and article 4 of Kansas administrative regulations, and amendments thereto, may be incorporated in life insurance policies which shall show the premium charged for specified disease or critical illness, or both, insurance and the premium charged for life insurance; and (2) the insured, at the insured's option, may discontinue the disease or critical illness rider, or both, and continue the life insurance policy by payment of the stated premium. The amount of capital stock of a company organized on the stock plan shall be not less than \$600,000.

Companies organized on the mutual plan shall be required to have applications from at least 200 persons for insurance upon their lives, aggregating not less than \$400,000, upon which one full annual premium in cash shall have been paid. No such company shall transact any business of insurance until, if a stock company, all the capital stock named in its charter has been paid in cash including all contributions to surplus to be made by the original purchasers of such stock. The surplus shall be at least \$600,000, and at least \$400,000 in securities authorized by this code shall have been deposited

with the commissioner of insurance pursuant to K.S.A. 40-229~~a~~, and amendments thereto, and if a mutual company, a guaranty fund of at least \$1,200,000, and at least \$400,000 of which shall be in securities as authorized in this code and deposited with the commissioner of insurance pursuant to K.S.A. 40-229~~a~~, and amendments thereto. The guaranty fund may be returned to the contributors with interest at 6% per annum whenever the surplus shall equal the amount of such guaranty fund and interest, and no company shall transact any business of insurance unless it shall maintain the capital or surplus or both required of a company commencing to transact business, or, if a mutual company, the required number and amount of applications for insurance have been received and the annual premiums collected in cash. The securities deposited pursuant to this section shall be held by the commissioner of insurance in trust for the benefit and protection of the policyholders or creditors, or both, of the company depositing the same and may be withdrawn only upon order of the commissioner of insurance. The commissioner of insurance may adopt rules and regulations to implement the provisions of this.";

Also on page 3, in line 17, by striking "2010" and inserting "2011";

On page 1, in the title, in line 2, by striking "2010" and inserting "2011"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 250** be amended on page 2, in line 1, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 273** be amended on page 2, in line 19, by striking "\$200,000" and inserting "\$100,000"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 280; Sub SB 282; SB 330, SB 366** be passed.

Committee on **Judiciary** recommends **SB 367** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 43-156 is hereby amended to read as follows: 43-156. (a) No person shall be excluded from service as a grand or petit juror in the district courts of Kansas on account of race, color, religion, sex, national origin, or economic status.

(b) Every juror, grand and petit, shall be a citizen of the state, resident of the county and possess the qualifications of an elector as now, or in the future established.

(c) At the time a prospective juror is selected to be a part of a jury panel, the court shall ask such prospective juror questions necessary to verify that such prospective juror meets each requirement of subsection (b).

Sec. 2. K.S.A. 2011 Supp. 43-158 is hereby amended to read as follows: 43-158. (a) The following persons shall be excused from jury service:

~~(a)~~ (1) Persons unable to understand the English language with a degree of proficiency sufficient to respond to a jury questionnaire form prepared by the commissioner;

~~(b)~~ (2) persons under adjudication of incompetency;

~~(c)~~ (3) persons who within 10 years immediately preceding have been convicted of or pleaded guilty, or *nolo contendere*, to an indictment or information charging a felony; and

~~(d)~~ (4) persons who have served as jurors in the county within one year immediately preceding; and

~~(e)~~ (b) A mother breastfeeding her child shall be excused from jury service if such

mother requests to be excused. Jury service shall be postponed until such mother is no longer breastfeeding the child.

(c) A pregnant woman shall be excused from jury service if such woman requests to be excused.";

Also on page 1, in line 36 following the period, by inserting "On and after July 1, 2012, commissioners that receive information from a prospective juror or court of this state that disqualifies or potentially disqualifies such prospective juror from jury service pursuant to K.S.A. 43-156(b), and amendments thereto, shall submit such information to the secretary of state in a form and manner approved by the secretary of state. Any such information provided by a commissioner to the secretary of state shall be used for the purpose of maintaining voter registrations as required by law and any other lawful purpose.";

And by renumbering sections accordingly;

On page 5, in line 22, after "K.S.A." by inserting "43-156 and"; also in line 22, after "Supp." by inserting "43-158,";

On page 1, in the title, in line 2, by striking "access to tax records" and inserting "jury service"; also in line 2, after "K.S.A." by inserting "43-156 and"; in line 3, before "79-3234" by inserting "43-158 and"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 424** be amended on page 1, in line 17, by striking "of";

On page 5, in line 31, by striking "sufficient"; also in line 31, after "character" by inserting "sufficient"; and the bill be passed as amended.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2789, AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501, by Committee on Appropriations.

MESSAGE FROM THE GOVERNOR

HB 2484, **HB 2569** approved on March 14, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2718** be amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on February 21, 2012, and the bill, as printed with amendments by House Committee on Education, be passed as amended.

Education Budget Committee recommends **HB 2766** be amended on page 1, in line

22, by striking "The secretary of commerce shall appoint an executive director."; in line 36, by striking "and humanities";

On page 2, in line 3, by striking "and humanities";

On page 3, in line 6, by striking "and humanities"; in line 16, by striking "and humanities"; in line 33, by striking "and humanities"; in line 39, by striking "and humanities";

On page 4, in line 4, by striking "and humanities"; in line 35, after "staff" by inserting "consisting of an executive director"; and the bill be passed as amended.

Education Budget Committee recommends **SB 28** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 28," as follows:

"HOUSE Substitute for SENATE BILL NO. 28

By Education Budget Committee

"AN ACT concerning school districts; relating to the adequacy of the state's provision for finance of the educational interests of the state."; and the substitute bill be passed. (**H Sub for SB 28** was thereupon introduced and read by title.)

Committee on **Pensions and Benefits** recommends **SB 259** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 259," as follows:

"HOUSE Substitute for SENATE BILL NO. 259

By Committee on Pensions and Benefits

"AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, requirements, benefits and contributions related thereto; relating to fiscal notes on bills that provide retirement benefit enhancements, actuarial cost; employer and employee contributions; sale of real estate of state agencies, disposition of proceeds to Kansas public employees retirement system fund; employment after retirement for certain school employees; amending K.S.A. 74-4915 and 74-4919 and K.S.A. 2011 Supp. 74-4914d, 74-4920, 74-4937, 74-49,205 and 75-6609 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-49,213."; and the substitute bill be passed.

(**H Sub for SB 259** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

Sub HB 2431; HB 2755 reported correctly engrossed March 14, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Friday, March 16, 2012.

Journal of the House

FORTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 16, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Rep. Johnson was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, Chaplain John L. Paulson, Kansas State Firefighters Association, Oberlin, and guest of Rep. Schroeder:

I am honored to be in this "House of Leadership" as Chaplain for the 125 year old Kansas State Firefighters Association. Leadership should always go hand in hand with wisdom.

Last spring I saw a notable act of wisdom. The wise leader was a blackbird. He and his son landed at our bird feeder. The young bird was standing up to his knees in food, yet he didn't eat.

Then I watched as the father took a piece of sunflower seed and gave it to his child. The father took another piece of sunflower seed, but his time, and each subsequent time, he held it a little lower. In this way, the father led his child to the source of food.

I thought this was a great illustration of how the Bible leads us to God as the source of eternal life. God is also a wellspring of wisdom.

For this reason I pray that you might eat of the bread of life and drink from God's fountain of wisdom as you endeavor to lead this Great State of Kansas.

In Jesus' name I pray. Amen.

The Pledge of Allegiance was led by Rep. Carlin.

Kansas Trivia Question – What three places near the Colorado border take their name from the combinations of the two states' names?

Answer : Colokan, Kanorado, Kanado

SPECIAL PRESENTATION

In celebration of St. Patrick's Day, former Senator Richard Gannon played a medley of Irish and Scottish tunes on the bagpipes.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Burgess are spread upon the Journal:

No one ever wants to start the year at 0-3, but that is what happened this year for the Silver Lake Lady Eagles basketball team.

They suffered losses to Holton (who ended up second in 4A), Riley County (who was undefeated until the 3A sub-state championship game), and Jefferson County North (who ended up the 2A state champions).

After the first three losses, they started playing well, heading to the Tonganoxie tournament where they ended up taking first place even though they were playing larger schools.

At Sub-state, the Lady Eagles had to beat Rock Creek in the semi finals before they had to play the undefeated Riley County Falcons in the Sub-state finals. The Falcons had defeated the Eagles twice during the regular season. Needless to say, they didn't beat the Eagles a third time.

At the State Basketball Tournament, the Eagles beat Garden Plain 55-49 in overtime. Then, they beat ACCHS 56-46.

In the Championship game, the Eagles faced Burlington. They were down by double digits with four minutes left in the game before they made a comeback to push the game into overtime where they took care of business by winning 51-47.

It is my distinct pleasure to welcome the 2012 Girls 3A State Basketball Champions: the Silver Lake Eagles Girls Basketball Team, their head coach, Tyler Stewart; assistant coach, Loren Ziegler; Principal Brad Womack; Athletic Director, Warren Bledsoe; and Superintendent, Dr. Randy Freeman.

Because of time constraints, I will only be able to introduce the seniors: Jamie Pfannenstiel, Perry Krogman, Becca Holder, Quinn Barker, Kayla Thayer, Kylie Bledsoe and Kaci Campbell.

Rep. Burgess presented a House certificate to Coach Stewart.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2788, HB 2789.**

MESSAGE FROM THE SENATE

Announcing passage of **SB 447.**

Announcing passage of **Sub HB 2055; Sub HB 2166; Sub HB 2207; HB 2335, HB 2412, HB 2420, HB 2429, HB 2468, HB 2469, HB 2472, HB 2473, HB 2491, HB 2496, HB 2507, HB 2509, HB 2546, HB 2588, HB 2600, HB 2666, HB 2669, HB 2672, HB 2675, HB 2677.**

Announcing passage of **HB 2413**, as amended; **HB 2534**, as amended.

Announcing adoption of **SCR 1616**.

Announcing adoption of **HCR 5032**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill and concurrent resolution were introduced and read by title:

SB 447; SCR 1616.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Prescott, **HR 6019**, by Reps. Tyson, Prescott, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, as follows, was introduced and adopted.

HOUSE RESOLUTION No. HR 6019—

A RESOLUTION congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

WHEREAS, On August 13, 1887, a group of Kansas fire service leaders met at Minneapolis, Kansas and organized the Kansas State Firemen's Association for the benefit of present and future Kansas firefighters; and

WHEREAS, The Kansas State Firemen's Association eventually changed its name to the Kansas State Firefighter's Association; and

WHEREAS, The Kansas State Firefighter's Association represents 16,000 firefighters, both volunteer and paid, from 660 fire departments across the state; and

WHEREAS, The primary goal of the Kansas State Firefighter's Association is to be dedicated to the safety and education of Kansas firefighters; and

WHEREAS, To provide for the safety of Kansas firefighters, the Kansas State Firefighter's Association provides free training to nearly 1,000 Kansas firefighters each year; and

WHEREAS, Kansas firefighters and their families make significant sacrifices to ensure the protection of Kansas lives and property; and

WHEREAS, The Kansas State Firefighter's Association has enjoyed a rich and proud heritage, and is the preeminent fire service organization in the state of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the

Kansas State Firefighter's Association and its members be congratulated and commended on the 125th Anniversary of their organization; and

Be it further resolved: That the 13th day of August of 2012 be recognized as Kansas Firefighter Day in honor of the sacrifices made by Kansas firefighters and their families over the past 125 years; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representatives Tyson and Prescott.

There being no objection, the following remarks of Rep. Tyson are spread upon the journal:

It is an honor to offer Resolution 6019 recognizing the Kansas State Firefighters Association. The Association was established in 1887, 125 years ago, in Minneapolis, KS.

Each of us most likely has a friend, neighbor, or family member that is a firefighter willing to put oneself in harm's way for our protection and who's department is a member of the Kansas State Firefighters Association. The Association currently has 660 member departments representing over 16,000 firefighters.

Thank you to the Kansas State Firefighters Association for their dedication to the safety and education of all firefighters.

Congratulations on the Kansas State Firefighter Association 125 year anniversary.

CONSENT CALENDAR

No objection was made to **SB 353** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2521, AN ACT concerning civil penalties; relating to certain penalties for violation of laws regulating the sale of alcohol and tobacco, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs, Carlin, Dillmore, Kiegerl, McCray-Miller, Ruiz, Tietze, Ward.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

HB 2634, AN ACT concerning schools; relating to school employees; performance and evaluation; professional development; amending K.S.A. 72-1412, 72-9004 and 72-9005 and K.S.A. 2011 Supp. 72-5413, 72-9002, 72-9003 and 72-9608 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 30; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Billinger, Burgess, Burroughs, Carlin, Davis, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, McCray-Miller, Meier, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

SB 290, AN ACT concerning the addictions counselor licensure act; amending K.S.A. 2011 Supp. 65-6608, 65-6610 and 65-6613 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kinzer, O'Hara, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed.

SB 303, AN ACT concerning disposition of unclaimed cremated remains; relating to veterans cremated remains; amending K.S.A. 65-1732 and repealing the existing section; also repealing K.S.A. 65-1733, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins.

The bill passed, as amended.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Carlson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Carlson, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Siegfried, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing the following members to speak more than once on **H Sub for SB 294**: Reps. Kelley, Feuerborn, Crum, Peck, Schwartz, Gordon and McLeland.

Committee report recommending a substitute bill to **H Sub for SB 294** be adopted; also, on motion of Rep. Kuether, be amended on page 124, by striking all in lines 8 through 14;

Also, on motion of Rep. D. Gatewood, **H Sub for SB 294** be amended on page 75, in line 33, by striking the first "or" and inserting a comma; in line 34, following "government" by inserting ", the department of corrections, the juvenile justice authority or the Kansas highway patrol";

Also, roll call was demanded on motion of Rep. Colloton to amend **H Sub for SB 294** on page 114, in line 6 by adding \$5,000,000 to the dollar amount which reads \$172,966,163 and adjusting the dollar amount in line 6 accordingly; and

On page 124, following line 14, by inserting the following:

“(m) On the effective date of this act,, or as soon thereafter as moneys are available,

and notwithstanding the provisions in K.S.A. 79-4231, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the oil and gas valuation depletion trust fund of the department of revenue to the state general fund; *Provided*, That the aggregate amount transferred under this subsection shall be accounted for by debiting each account in the oil and gas valuation depletion trust fund with the amount credited to such account that bears the same relation to the aggregate amount credited to such account as the aggregate amount transferred under this subsection bears to the aggregate amount credited to the oil and gas valuation depletion trust fund.”;

On roll call, the vote was: Yeas 75; Nays 46; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Bethell, Bollier, Brookens, Bruchman, Burroughs, Calloway, Carlin, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hill, M. Holmes, Howell, Kelley, Kelly, Kinzer, Kleeb, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Pauls, Peck, Phelps, Phillips, Pottorff, Prescott, Roth, Ruiz, Scapa, Slattery, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Burgess, Carlson, Cassidy, Crum, DeGraaf, Donohoe, Grange, Hayzlett, Hildabrand, Hineman, Hoffman, C. Holmes, Huebert, Johnson, Kerschen, Kiegerl, Knox, Mast, McLeland, Mesa, O'Neal, Patton, Powell, Proehl, Rhoades, Rubin, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Collins, Finney, Peterson, Sloan.

The motion of Rep. Colloton prevailed.

Also, on further motion of Rep. Colloton to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the “pay-go” rule. Rep. Colloton subsequently withdrew her amendment.

Also, roll call was demanded on motion of Rep. Donohoe to amend **H Sub for SB 294** on page 282, following line 28, by inserting the following:

"Sec. 170. (a) For the fiscal year ending June 30, 2012, on and after the effective date of this act, no moneys appropriated for the department of social and rehabilitation services from the state general fund or from any special revenue fund or funds for fiscal year 2012, as authorized by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, shall be expended by the department of social and rehabilitation services to administer the supplemental nutrition assistance program under the current eligibility determination policy or any other eligibility determination policy except the eligibility determination policy that was in effect on September 30, 2011: *Provided*, That, the eligibility determination policy that was in effect on September 30, 2011, shall be reinstated and implemented for the supplemental nutrition assistance program effective on the effective date of this act.

(b) For the fiscal year ending June 30, 2013, no moneys appropriated for the Kansas department for children and families from the state general fund or from any

special revenue fund or funds for fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, shall be expended by the Kansas department for children and families to administer the supplemental nutrition assistance program under the current eligibility determination policy or any other eligibility determination policy except the eligibility determination policy that was in effect on September 30, 2011: *Provided*, That, the eligibility determination policy that was in effect on September 30, 2011, shall be reinstated and implemented for the supplemental nutrition assistance program effective on the effective date of this act.";

And by renumbering remaining sections accordingly

On roll call, the vote was: Yeas 7; Nays 113; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Flaharty, Henderson, McCray-Miller, Ruiz, Victors, Winn.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Ward, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Collins, Hill, Peterson, Roth, Weber.

The motion of Rep. Donohoe did not prevail.

Also, roll call was demanded on motion of Rep. Arpke to amend **H Sub for SB 294** on page 140, in line 3, by adding \$1,272,738 to the dollar amount and by adjusting the dollar amount in line 3 accordingly;

On page 142, in line 22, by subtracting \$1,028,897 from the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On page 149, in line 7, by adding \$300,000 to the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 151, in line 9, by adding \$848,492 to the dollar amount and by adjusting the dollar amount in line 9 accordingly;

On page 153, in line 13, by subtracting \$1,392,333 from the dollar amount and by adjusting the dollar amount in line 13 accordingly

On roll call, the vote was: Yeas 21; Nays 99; Present but not voting: 0; Absent or not voting: 5.

Yeas: Arpke, Boman, Crum, DeGraaf, Garber, Goodman, M. Holmes, Howell, Kelly, Knox, Mast, O'Brien, Otto, Peck, Powell, Ryckman, Siegfried, Vickrey, Williams, B. Wolf.

Nays: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton,

Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, Huebert, Johnson, Kerschen, Kiegerl, Kinzer, Kleebl, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Patton, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Collins, Kelley, McLeland, Peterson, Rhoades.

The motion of Rep. Arpke did not prevail.

Also, on motion of Rep. Meier, **H Sub for SB 294** be amended on page 75, following line 34, by inserting:

"(s) (1) In awarding any contract for the performance of any job or service for which moneys appropriated pursuant to this section are to be expended, the secretary of administration, or the secretary's designee, shall give a preference to disabled veteran businesses doing business as Kansas firms, corporations or individuals, or which maintain Kansas offices or places of business and shall have the goal of awarding at least 3% of all such contracts to disabled veteran businesses.

(2) On or before October 1, 2013, the secretary of administration shall file with the Kansas commission on veterans affairs a report of the number of contracts awarded to disabled veteran businesses during the fiscal year ending June 30, 2013, and the number of such businesses that responded to solicitations of bids or proposals issued by the department of administration during such fiscal year.

(3) As used in this subsection:

(A) "Disabled veteran" means a person who has served in the armed forces of the United States and who is entitled to compensation for a service-connected disability, according to the laws administered by the veterans administration, or who is entitled to compensation for the loss, or permanent loss of use, of one or both feet or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree.

(B) "Disabled veteran business" means a business: (i) Not less than 51% of which is owned by one or more disabled veterans or, in the case of a publicly owned business, not less than 51% of the stock of which is owned by one or more disabled veterans; and (ii) the management and daily business operations of which are controlled by one or more disabled veterans.";

Also, on motion of Rep. Rubin to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment does not violate the rule and therefore was in order. The motion of Rep. Rubin subsequently did not prevail.

Also, on motion of Rep. Feuerborn to amend **H Sub for SB 294**, Rep. Rhoades requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment violates the rule and was therefore out of order.

Also, roll call was demanded on motion of Rep. Feuerborn, pursuant to House Rule 2311, to suspend House rule 2110 for the purpose of offering an amendment numbered 2012-SB294h.4930.

On roll call, the vote was: Yeas 49; Nays 72; Present but not voting: 0; Absent or not voting: 4.

Yeas: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Phelps, Pottorff, Proehl, Roth, Ruiz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Collins, Kiegerl, Landwehr, Peterson.

The motion of Rep. Feuerborn did not prevail.

Also, roll call was demanded on motion of Rep. Ballard to amend **H Sub for SB 294** on page 27, in line 14, by subtracting \$1,070,318 from the dollar amount and by adjusting the dollar amount in line 14 accordingly;

On page 30, in line 32, by subtracting \$399,834 from the dollar amount and by adjusting the dollar amount in line 32 accordingly;

On page 124, in line 24, by adding \$2,470,152 to the dollar amount and by adjusting the dollar amount in line 24 accordingly; in line 41, by subtracting \$1,000,000 from the dollar amount and by adjusting the dollar amount in line 41 accordingly

On roll call, the vote was: Yeas 38; Nays 77; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Grant, Gregory, Grosserode, Henderson, Henry, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, Otto, Pauls, Phelps, Ruiz, Slattery, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, LeDoux, Mast, McLeland, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Hildabrand, M. Holmes, Johnson, Kiegerl, Peterson, Rubin, Schwab, Sloan.

The motion of Rep. Ballard did not prevail.

Also, on motion of Rep. O'Hara to amend **H Sub for SB 294**, Rep. Crum requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment did not violate the

rule and therefore is in order. Rep. O'Hara subsequently withdrew the amendment.

Also, on further motion of Rep. O'Hara to amend **H Sub for SB 294**, the motion did not prevail. Also, on motion of Rep. Colloton to amend, the motion did not prevail. Also, on motion of Rep. D. Gatewood to amend, the motion did not prevail.

Also, on motion of Rep. Bethell to amend **H Sub for SB 294**, Rep. Rhoades requested a ruling on the "pay-go" rule. The Rules Chair ruled the amendment violates the rule and therefore was out of order.

Also, on motion of Rep. S. Gatewood to amend **H Sub for SB 294**, the motion did not prevail.

Also, on motion of Rep. Burgess, **H Sub for SB 294** be amended on page 255, in line 34, before "On" by inserting "(1)"; in line 40, after the period, by inserting "Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2012, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.

(2)";

Also, roll call was demanded on motion of Rep. Mah to amend **H Sub for SB 294** on page 282, following line 28, by inserting the following:

"Sec. 170.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Undermarket pay adjustment fund\$8,500,000

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2012 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with each such approval, to the proper accounts created by state general fund appropriations for fiscal year 20123 for which such transfers are so approved under this section.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts

established for each fiscal year designated in subsection (a), for the fiscal year ending June 30, 2012, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the fiscal year ending June 30, 2012.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

(d) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$7,000,000 from the accounting services recovery fund of the department of administration to the undermarket pay adjustment fund of the state finance council.

(e) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 75-1269, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the architectural services recovery fund of the department of administration to the undermarket pay adjustment fund of the state finance council.";

And by renumbering sections accordingly

On roll call, the vote was: Yeas 55; Nays 61; Present but not voting: 0; Absent or not voting: 9.

Yeas: Ballard, Bethell, Bollier, Brookens, Burgess, Burroughs, Carlin, Cassidy, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grant, Henderson, Henry, Hill, Hineman, M. Holmes, Kelly, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Moxley, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Ruiz, Schroeder, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Calloway, Carlson, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Kelley, Kerschen, Kinzer, KleeB, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Peck, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bruchman, Collins, Johnson, Kiegerl, Landwehr, Peterson, Roth, Shultz, Sloan.

The motion of Rep. Mah did not prevail.

Also, roll call was demanded on motion of Rep. Spalding to amend **H Sub for SB 294** on page 22, in line 11, by striking all after "(c)"; by striking all in lines 12 through 14; in line 15, by striking all before the period and inserting "On the effective date of

this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$24,632,000 from the state highway fund of the Kansas department of transportation to the general state aid account of the state general fund for the department of education";

On roll call, the vote was: Yeas 116; Nays 1; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Goodman.

Present but not voting: None.

Absent or not voting: Collins, Johnson, Kiegerl, McLeland, O'Brien, Peterson, Roth, Sloan.

The motion of Rep. Spalding prevailed.

Also, on motion of Rep. Burgess, **H Sub for SB 294** be amended on page 255, in line 34, before "On" by inserting "(1)"; in line 40, after the period, by inserting "Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.

(2)";

Also, on motion of Rep. Peck to amend **H Sub for SB 294**, the motion did not prevail.

Also, on motion of Rep. Patton, **H Sub for SB 294** be amended on page 282, following line 28, by inserting:

"Sec. 170. (a) During the fiscal year ending June 30, 2013, except to the extent required by federal law, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for any abortion: *Provided*, That, except to the extent required by federal law, no health care services provided by any such state agency, or any employee of such state agency while acting

within the scope of such employee's employment, shall include abortion: *Provided, however*; That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.;

And by renumbering remaining sections accordingly; and **H Sub for SB 294** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2761** be passed.

Committee on **Agriculture and Natural Resources** recommends **Substitute for SB 148** be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 148," as follows:

"HOUSE Substitute for Substitute for SENATE BILL NO. 148

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to division of a water right; relating to project permits for sand and gravel operations; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for Sub SB 148** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **HB 2572** be amended on page 1, in line 7, by striking "New"; in line 15, after "(b)" by inserting "There is hereby established in the state treasury the Kansas emergency management and homeland security fund. Moneys deposited in the Kansas emergency management and homeland security fund may be expended for operating expenditures of the adjutant general related to emergency management and homeland security, including, but not limited to, direct and indirect operating expenses. Expenditures from the Kansas emergency management and homeland security fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the adjutant general or by a person or persons designated by the adjutant general.

(c)";

Also on page 1, by striking all in lines 21 through 35; in line 36, by striking "New";

On page 2, by striking all in lines 17 through 43;

By striking all on pages 3 and 4;

On page 5, by striking all in lines 1 through 21;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "KUSF; insurance fees and premium taxes;" in line 3, by striking all after "fund"; in line 4, by striking all before the period and inserting "and the Kansas emergency management and homeland security fund"; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 425** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 425," as follows:

"HOUSE Substitute for SENATE BILL NO. 425

By Committee on Appropriations

"AN ACT concerning the court of appeals; relating to the number of judges; amending K.S.A. 2011 Supp. 20-3002 and repealing the existing section."; and the substitute

bill be passed.

(H Sub SB 425 was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **Substitute for SB 307** be amended on page 2, following line 18, by inserting:

"Sec. 2. K.S.A. 22-3402 is hereby amended to read as follows: 22-3402. ~~(+)~~ (a) If any person charged with a crime and held in jail solely by reason thereof shall not be brought to trial within 90 days after such person's arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant; or a continuance shall be ordered by the court under subsection ~~(5)~~ (e).

~~(2)~~ (b) If any person charged with a crime and held to answer on an appearance bond shall not be brought to trial within 180 days after arraignment on the charge, such person shall be entitled to be discharged from further liability to be tried for the crime charged, unless the delay shall happen as a result of the application or fault of the defendant, or a continuance shall be ordered by the court under subsection ~~(5)~~ (e).

~~(2)~~ (c) If any trial scheduled within the time limitation prescribed by subsection ~~(+)~~ (+) or ~~(2)~~ (a) or (b) is delayed by the application of or at the request of the defendant, the trial shall be rescheduled within 90 days of the original trial deadline.

~~(+)~~ (d) After any trial date has been set within the time limitation prescribed by subsection ~~(+)~~ or ~~(2)~~ (a), (b) or (c), if the defendant fails to appear for the trial or any pretrial hearing, and a bench warrant is ordered, the trial shall be rescheduled within 90 days after the defendant has ~~been surrendered~~ appeared in court after apprehension or surrender on such warrant. However, if the defendant was subject to the 180-day deadline prescribed by subsection ~~(2)~~ (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect.

~~(5)~~ (e) For those situations not otherwise covered by subsections (a), (b) or (c), the time for trial may be extended ~~beyond the limitations of subsections (1) and (2)~~ for any of the following reasons:

~~(a)~~ (1) The defendant is incompetent to stand trial. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding;

~~(b)~~ (2) A proceeding to determine the defendant's competency to stand trial is pending and a determination thereof may not be completed within the time limitations fixed for trial by this section. If the defendant is subsequently found to be competent to stand trial, the trial shall be scheduled as soon as practicable and in any event within 90 days of such finding. However, if the defendant was subject to the 180-day deadline prescribed by subsection (b) and more than 90 days of the original time limitation remain, then the original time limitation remains in effect. The time that a decision is pending on competency shall never be counted against the state;

~~(e)~~ (3) There is material evidence which is unavailable; that reasonable efforts have been made to procure such evidence; and that there are reasonable grounds to believe that such evidence can be obtained and trial commenced within the next succeeding 90 days. Not more than one continuance may be granted the state on this ground, unless for good cause shown, where the original continuance was for less than 90 days, and the trial is commenced within 120 days from the original trial date;

~~(+)~~ (4) Because of other cases pending for trial, the court does not have sufficient time to commence the trial of the case within the time fixed for trial by this section. Not

more than one continuance of not more than 30 days may be ordered upon this ground.

~~(6)(f)~~ In the event a mistrial is declared, a motion for new trial is granted or a conviction is reversed on appeal to the supreme court or court of appeals, the time limitations provided for herein shall commence to run from the date the mistrial is declared, the date a new trial is ordered or the date the mandate of the supreme court or court of appeals is filed in the district court.

(g) If a delay is initially attributed to the defendant, but is subsequently charged to the state for any reason, such delay shall not be considered against the state under subsections (a), (b) or (c) and shall not be used as a ground for dismissing a case or for reversing a conviction unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.

(h) When a scheduled trial is scheduled within the period allowed by subsections (a), (b) or (c) and is delayed because a party has made or filed a motion, or because the court raises a concern on its own, the time elapsing from the date of the making or filing of the motion, or the court's raising a concern, until the matter is resolved by court order shall not be considered when determining if a violation under subsections (a), (b) or (c) has occurred. If the resolution of such motion or concern by court order occurs at a time when less than 30 days remains under the provisions of subsections (a), (b) or (c), the time in which the defendant shall be brought to trial is extended 30 days from the date of the court order.

(i) If the state requests and is granted a delay for any reason provided in this statute, the time elapsing because of the order granting the delay shall not be subsequently counted against the state if an appellate court later determines that the district court erred by granting the state's request unless not considering such delay would result in a violation of the constitutional right to a speedy trial or there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

Also on page 2, in line 19, after "K.S.A." by inserting "22-3402 and K.S.A."; also in line 19, by striking "is" and inserting "are";

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to time limitations at trial;"; also in line 2, after "K.S.A." by inserting "22-3402 and K.S.A."; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 325** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 325," as follows:

"HOUSE Substitute for SENATE BILL NO. 325

By Committee on Corrections and Juvenile Justice

"AN ACT concerning health care providers; relating to distribution of certain controlled substances to health care providers; relating to mammography examinations; amending K.S.A. 2011 Supp. 65-4111 and 65-4113 and repealing the existing sections."; And the substitute bill be passed.

(H Sub for SB 325 was thereupon introduced and read by title.)

Committee on **Education** recommends **SB 155** be amended on page 1, in line 5, by The striking all after "(a)"; by striking all in line 6; in line 7, by striking "and the levying of school taxes,"; in line 8, by striking "each of the school districts as follows:";

by striking all in lines 9 through 22 and by inserting "the first consolidated unified school district of the school districts if the boards of education of two or more school districts form one consolidated unified school district under K.S.A. 72-8701 *et seq.*, and amendments thereto, and the state board of education approves of such consolidation by issuing an order establishing the unified school district in accordance with K.S.A. 72-8704, and amendments thereto, on or before July 1, 2016. Such consolidated unified school district shall be contiguous to the boundaries of the property."; and the bill be passed as amended.

Committee on **Education** recommends **SB 257** be amended on page 1, following line 5, by inserting:

"New Section 1. (a) In each school year, the board of education of each school district shall adopt a local foundation budget. The local foundation budget of each school district shall be determined by the state board as follows:

(1) In school districts which adopt a local option budget under K.S.A. 2011 Supp. 72-6433d, and amendments thereto, the state board shall:

- (A) Determine the adjusted enrollment of the school district;
- (B) multiply the number determined under clause (A) by \$4,433;
- (C) add the amount of state aid for special education or related services received by the school district in school year 2008-2009 to the product obtained under clause (B);
- (D) divide the sum obtained under clause (C) by .90; and
- (E) multiply the sum obtained under clause (D) by .10. The resulting product is the local foundation budget of the school district.

(2) In school districts which adopt a local option budget under K.S.A. 2011 Supp. 72-6433, and amendments thereto, the state board shall:

- (A) Determine the adjusted enrollment of the school district;
- (B) multiply the number determined under clause (A) by the base state aid per pupil; and
- (C) multiply the sum obtained under clause (B) by .10. The resulting product is the local foundation budget of the school district.

Sec. 2. K.S.A. 2011 Supp. 72-6410 is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to 90% of the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) (1) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and \$4,492 in school year 2009-2010 and each school year thereafter.~~ \$4,200.

(2) The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per pupil for such school year is subject to reduction commensurate with the amount of the insufficiency.

(c) "Local effort" means the sum of:

(1) An amount equal to the proceeds from the tax levied under authority of K.S.A. 72-6431, and amendments thereto; ~~and~~

(2) an amount equal to any unexpended and unencumbered balance remaining in the general fund of the district, except amounts received by the district and authorized

to be expended for the purposes specified in K.S.A. 72-6430, and amendments thereto; ~~and;~~

(3) an amount equal to any unexpended and unencumbered balances remaining in the program weighted funds of the district, except any amount in the vocational education fund of the district if the district is operating an area vocational school; ~~and;~~

(4) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to the repeal of such statutory sections; ~~and;~~

(5) an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district under the provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto; ~~and;~~

(6) an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto; ~~and;~~

(7) an amount equal to the amount credited to the general fund in the current school year from amounts distributed in such year to the district under the provisions of articles 17 and 34 of chapter 12 of Kansas Statutes Annotated ~~and under the provisions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated, and;~~

(8) an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-979, and amendments thereto; ~~and;~~

(9) an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-998, and amendments thereto;

(10) an amount equal to the amount of a grant, if any, received by the district under the provisions of K.S.A. 72-983, and amendments thereto; ~~and~~

(11) an amount equal to 70% of the federal impact aid of the district.

(d) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

Sec. 3. K.S.A. 2011 Supp. 72-6415b is hereby amended to read as follows: 72-6415b. School facilities weighting may be assigned to enrollment of a district only if the district has adopted a local option budget in an amount equal to at least ~~25%~~ 17% of the sum obtained by adding the amount of the state financial aid determined for of the district in and the amount of the local foundation budget for the current school year. School facilities weighting may be assigned to enrollment of the district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

Sec. 4. K.S.A. 2011 Supp. 72-6431 is hereby amended to read as follows: 72-6431. (a) The board of each district shall levy an *ad valorem* tax upon the taxable tangible property of the district in the school years specified in subsection (b) for the purpose of:

(1) Financing the state-level foundation obligation. The state-level foundation

obligation shall be that portion of the district's general fund budget which is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school year 2011-2012 and school year 2012-2013.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the general fund of the district.

(d) On June 6 of each year, the amount, if any, by which a district's local effort exceeds the amount of the district's state financial aid, as determined by the state board, shall be remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(e) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 5. K.S.A. 2011 Supp. 72-6433 is hereby amended to read as follows: 72-6433.

(a) As used in this section:

(1) "State prescribed percentage" means ~~34%~~ 18% of ~~state financial aid of the district in the current school year.~~ the foundation funding.

(2) "Authorized to adopt a local option budget" means that a district has adopted a resolution under this section, has published the same, and either the resolution was not protested or it was protested and an election was held by which the adoption of a local option budget was approved.

(3) "Foundation funding" means the sum obtained by adding the amount of the state-level foundation obligation and the local foundation budget.

(b) In each school year, the board of any district may adopt a local option budget which does not exceed the state prescribed percentage.

(c) Subject to the limitation of subsection (b), in each school year, the board of any district may adopt, by resolution, a local option budget in an amount not to exceed:

(1) (A) The amount which the board was authorized to adopt in accordance with the provisions of this section in effect prior to its amendment by this act; plus

(B) the amount which the board was authorized to adopt pursuant to any resolution currently in effect; plus

(C) the amount which the board was authorized to adopt pursuant to K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (j).

Except as provided by subsection (e), the adoption of a resolution pursuant to this

subsection shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(d) If the board of a district desires to increase its local option budget authority above the amount authorized under subsection (c) or if the board was not authorized to adopt a local option budget in 2006-2007, the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,
_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the ~~amount of state financial aid.~~ foundation funding. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified School District No. _____, _____ County, Kansas, on the ____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled as is appropriate. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(e) (1) Any resolution authorizing the adoption of a local option budget in excess of ~~30% 17%~~ of the ~~state financial aid of the district in the current school year~~ foundation funding shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto.

(2) If a school district adopted a resolution authorizing the adoption of a local

option budget in excess of 30% of the state financial aid, as that term was defined prior to the effective date of this act, of the district and such resolution was submitted to and approved by a majority of the qualified electors of the district voting at an election called and held thereon prior to the effective date of this act, such district may adopt a local option budget in excess of the amount provided by paragraph (1) of this subsection without submitting the resolution to an election. In no case shall the district adopt a resolution authorizing the adoption of a local option budget in excess of 18% of the foundation funding.

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(g) The board of any district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to K.S.A. 72-6435, and amendments thereto, is certified to the county clerk under any existing authorization.

(h) The board of any district that is authorized to adopt a local option budget prior to the effective date of this act under a resolution which authorized the adoption of such budget in accordance with the provisions of this section in effect prior to its amendment by this act may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section as amended by this act. Any such district shall operate under the provisions of this section as amended by this act after the period of time specified in the resolution has expired.

(i) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions which are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(j) (1) There is hereby established in every district that adopts a local option budget a fund which shall be called the supplemental general fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitation imposed under paragraph (3) and subsection (e) of K.S.A. 72-6434, and amendments thereto, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any program weighted fund or categorical fund of the district. Amounts in the supplemental general fund attributable to any percentage over ~~25%~~ 17% of ~~state financial aid determined for the current school year~~ the foundation funding may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of ~~25%~~ 17%.

(3) Amounts in the supplemental general fund may not be expended for the purpose

of making payments under any lease-purchase agreement involving the acquisition of land or buildings which is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in paragraph (B), any unexpended budget remaining in the supplemental general fund of a district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the district received supplemental general state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the district for the school year and multiply the total amount of the unexpended budget remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the district or remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(k) Each year the state board of education shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(l) In school year 2012-2013, a school district may adopt a local option budget in an amount equal to the amount of the local option budget the district was authorized to adopt in school year 2011-2012 less an amount equal to the local foundation budget of the school district. To the extent the provisions of this subsection conflict with any other provisions of this section, this subsection shall control.

~~(m)~~ (m) The provisions of this section shall be subject to the provisions of K.S.A. 2011 Supp. 72-6433d, and amendments thereto.";

Also on page 1, following line 31, by inserting:

"Sec. 7. K.S.A. 2011 Supp. 72-6435 is hereby amended to read as follows: 72-6435. (a) In each school year, the board of every district that has adopted a local option budget may levy an *ad valorem* tax on the taxable tangible property of the district for the purpose of: (1) Financing that portion of the district's local option budget which is not financed from any other source provided by law; (2) financing that portion of the district's local foundation budget which is not financed from any other source provided by law; (3) paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district; and ~~(3)-(4)~~ (4) funding transfers to the capital improvement fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of ~~25%~~ 17% of state financial aid determined for the ~~current school year.~~ the foundation funding.

(b) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the supplemental general fund of the district.

(c) In the school years specified in K.S.A. 72-6431, and amendments thereto, upon deposit of the proceeds from the tax levied pursuant to this section in the supplemental general fund, an amount equal to the local foundation budget, as established in section 1, and amendments thereto, shall be transferred to the general fund of the district. Such

transfer shall be deemed a reimbursement of general operating expenses.

(d) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments to such sections.

Sec. 8. K.S.A. 2011 Supp. 72-6449 is hereby amended to read as follows: 72-6449.

(a) As used in this section, "school district" or "district" means a school district authorized to make a levy under this section.

(b) The board of education of any district may levy a tax on the taxable tangible property within the district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost of living weighting to the enrollment of the district. There is hereby established in every school district a fund which shall be called the cost of living fund, which fund shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost of living fund. The proceeds from the tax levied by a district credited to the cost of living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(c) The state board of education shall determine whether a district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under paragraph (1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) (A) subtract the amount determined under paragraph (2) from the amount determined under paragraph (3). If the amount determined for the district under this paragraph is a positive number and the district is authorized to adopt and has adopted a local option budget in an amount equal to at least ~~31%~~18% of the ~~state financial aid for the school district foundation funding~~, the district qualifies for assignment of cost of living weighting and may levy a tax on the taxable tangible property of the district for the purpose of financing the costs that are attributable directly to assignment of the cost of living weighting to enrollment of the district; or

(B) as an alternative to the authority provided in paragraph (4)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to levy such tax at a rate necessary to generate revenue in the same amount generated in school year 2006-2007 if: (i) The amount determined under paragraph (4)(A) is a positive number; and (ii) the district continues to adopt a local option budget in an amount equal to ~~the state prescribed percentage in effect in school year 2006-2007~~ 17% of the foundation funding.

(d) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form: Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an *ad valorem* tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost of living weighting to the enrollment of the district. The *ad valorem* tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the *ad valorem* tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision are in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast are not in favor of the resolution, the resolution shall be deemed of no effect and no like resolution shall be adopted by the board within the nine months following such election.

(e) In determining the amount produced by the tax levied by the district under the authority of this section, the state board shall include any moneys which have been apportioned to the cost of living fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.

Sec. 9. K.S.A. 2011 Supp. 72-6451 is hereby amended to read as follows: 72-6451. (a) As used in this section:

(1) "School district" or "district" means a school district which: (A) Has a declining enrollment; and (B) has adopted a local option budget in an amount which equals at least ~~31%~~18% of the ~~state financial aid for the school district~~ foundation funding at the time the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(2) "Declining enrollment" means an enrollment which has declined in amount from that of the preceding school year.

(b) (1) (A) A school district may levy an *ad valorem* tax on the taxable tangible property of the district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state court of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly

attributable to assignment of declining enrollment weighting to enrollment of the district. The state court of tax appeals may authorize the district to make a levy which will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the district. Such amount shall not exceed 5% of the general fund budget of the district in the school year in which the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(B) As an alternative to the authority provided in paragraph (1)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to make a levy at a rate necessary to generate revenue in the same amount that was generated in school year 2007-2008 if the district adopts a local option budget in an amount equal to the state prescribed percentage in effect in school year 2006-2007.

(2) The state court of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state court of tax appeals pursuant to this section.

(c) A district may levy the tax authorized pursuant to this section for a period of time not to exceed two years unless authority to make such levy is renewed by the state court of tax appeals. The state court of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(d) The state board shall provide to the state court of tax appeals such school data and information requested by the state court of tax appeals and any other information deemed necessary by the state board.

(e) There is hereby established in every district a fund which shall be called the declining enrollment fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a district under authority of this section shall be credited to the declining enrollment fund of the district. The proceeds from the tax levied by a district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(f) In determining the amount produced by the tax levied by the district under authority of this section, the state board shall include any moneys which have been apportioned to the declining enrollment fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 1, in line 32, by striking "72-6433d is" and inserting "72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449, 72-6451 and 72-6442b are";

Also on page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking "budget" and inserting "school finance"; also in line 2, by striking "72-6433d" and inserting "72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449 and 72-6451"; in line 3, by striking "section" and inserting "sections"; also repealing K.S.A. 2011 Supp. 72-6442b"; and the bill be passed as amended.

Education Budget Committee recommends **HB 2773** be amended on page 1, by striking all in lines 9 through 36;

On page 2, by striking all in lines 1 through 12;

On page 3, in line 12, before "2012" by inserting "2011, or June 30,"; also in line 12, by striking "school year"; in line 13, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 29, before "2012" by inserting "2011, or June 30,"; in line 30, by striking "school year"; also in line 30, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 5, in line 2, before "2012" by inserting "2011, or June 30,"; in line 3, by striking "school year"; also in line 3, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 31, before "2012" by inserting "2011, or June 30,"; in line 32, by striking "school year"; also in line 32, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 6, in line 26, before "2012" by inserting "2011, or June 30,"; in line 27, by striking "school year"; also in line 27, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 7, in line 20, before "2012" by inserting "2011, or June 30,"; also in line 20, by striking "school year"; in line 21, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 8, in line 12, before "2012" by inserting "2011, or June 30,"; also in line 12, by striking "school year"; also in line 12, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 25, before "2012" by inserting "2011, or June 30,"; in line 26, by striking "school year"; also in line 26, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 9, in line 14, before "2012" by inserting "2011, or June 30,"; in line 15, by striking "school year"; also in line 15, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; by striking all in lines 18 through 43;

By striking all on pages 10 through 12;

On page 13, by striking all in lines 1 through 3; in line 5, by striking "year"; also in line 5, before "2012-2013" by inserting "years 2011-2012 and"; in line 24, by striking ", provided, that" and inserting ". For school year 2011-2012,"; in line 29, by striking "2011-2012" and inserting "2010-2011";

On page 14, in line 1, by striking "year"; also in line 1, before "2012-2013" by inserting "years 2011-2012 and"; in line 6, after "for" by inserting "the current"; also in line 6, by striking "2012-"; in line 7, by striking "2013"; in line 9, by striking "fiscal year"; also in line 9, by striking "2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 13, after "for" by inserting "the immediately preceding"; also in line 13, by striking "2011-"; in line 14, by striking "2012"; in line 19, by striking "fiscal year 2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 25, after "for" by inserting "the immediately preceding"; also in line 25, by striking "2011-2012"; in line 31, after "for" by inserting "the current"; also in line 31, by striking "2012-2013"; in line 36, by striking "fiscal year 2013" and inserting "the fiscal year ending on June 30 of the current school year"; in line 40, after "in" by inserting "the current"; also in line 40, by striking "2012-2013";

On page 15, in line 30, before "2012" by inserting "2011, or June 30,"; in line 31, by striking "school year"; also in line 31, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 16, in line 18, before "2012" by inserting "2011, or June 30,"; also in line 18, by striking "school year"; also in line 18, by striking "2012-2013" and inserting "the school year that immediately succeeds such date"; in line 39, before "2012" by inserting

"2011, or June 30,"; in line 40, by striking "school year"; also in line 40, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

On page 17, in line 18, before "2012" by inserting "2011, or June 30,"; in line 19, by striking "school year"; also in line 19, by striking "2012-2013" and inserting "the school year that immediately succeeds such date";

And renumbering sections accordingly;

Also on page 17, in line 23, by striking "72-6433,"; in line 26, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 2, by striking "relating to the local option budget,"; in line 4, by striking "72-6433,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 387** be passed.

Committee on **Federal and State Affairs** recommends **HB 2598** be amended on page 1, in line 10, by striking "7" and inserting "6";

On page 2, in line 6, after "abortion." by inserting "Nothing in this subsection shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity. For purposes of this act only, such physicians shall be considered as acting outside the scope of their official employment in such actions. This provision regarding physicians enrolled in a residency program shall remain in effect through June 30, 2013."; in line 7, by striking "7" and inserting "6"; in line 12, by striking "7" and inserting "6"; in line 20, by striking "7" and inserting "6"; by striking all in lines 23 through 27;

On page 4, in line 18, by striking "2011" and inserting "2012";

On page 6, in line 11, by striking "licensed to practice psychology; (3) licensed to"; by striking all in lines 12 through 14; in line 15, by striking "work; (7) registered to practice marriage and family therapy; (8)" and inserting "licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master's level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4)"; in line 16, by striking "(9)" and inserting "(5)"; in line 25, by striking all after "(f)"; by striking all in lines 26 through 31; in line 32, by striking "irreversible impairment of a major bodily function."; and inserting ""Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy without first determining gestational age to avert her death or for which a delay necessary to determine gestational age will create serious risk of substantial and irreversible physical impairment of a major bodily function."; in line 43, by striking "registered" and inserting "licensed"; also in line 43, after "counselor," by inserting "licensed marriage and family therapist, licensed master's level psychologist, licensed clinical psychotherapist,";

On page 9, in line 43, after "irreversible" by inserting "physical";

On page 12, in line 31, after "department." by inserting "The total number of certifications shall be reported by the physician as part of the written report made by the physician to the secretary of health and environment under K.S.A. 65-445, and

amendments thereto."; in line 32, after "received" by inserting "and the number of women who decided not to have an abortion after hearing the heartbeat of the unborn child";

On page 13, by striking all in lines 33 through 43;

On page 14, by striking all in lines 1 through 9;

And by redesignating subsections accordingly;

On page 24, in line 5, by striking "2011" and inserting "2012"; in line 13, by striking "2011" and inserting "2012";

On page 29, in line 28, by striking "2011" and inserting "2012";

On page 33, in line 30, by striking "2011" and inserting "2012";

On page 39, in line 26, by striking "2011" and inserting "2012";

On page 48, in line 24, by striking "2011" and inserting "2012";

On page 49, in line 7, by striking "2011" and inserting "2012";

On page 55, in line 18, by striking "2011" and inserting "2012";

On page 67, following line 42, by inserting:

"Sec. 22. K.S.A. 2011 Supp. 76-3308 is hereby amended to read as follows: 76-3308.

(a) The authority shall have all the powers necessary to carry out the purposes and provisions of this act, including, without limitation, the following powers to:

(1) Have the duties, privileges, immunities, rights, liabilities and disabilities of a body corporate and a political instrumentality of the state;

(2) have perpetual existence and succession;

(3) adopt, have and use a seal and to alter the same at its pleasure;

(4) sue and be sued in its own name;

(5) make and execute contracts, guarantees or any other instruments and agreements necessary or convenient for the exercise of its powers and functions including, without limitation, to make and execute contracts with hospitals or other health care businesses to operate and manage any or all of the hospital facilities or operations and to incur liabilities and secure the obligations of any entity or individual;

(6) borrow money and to issue bonds evidencing the same and pledge all or any part of the authority's assets therefor;

(7) purchase, lease, trade, exchange or otherwise acquire, maintain, hold, improve, mortgage, sell, lease and dispose of personal property, whether tangible or intangible, and any interest therein; and to purchase, lease, trade, exchange or otherwise acquire real property or any interest therein, and to maintain, hold, improve, mortgage, lease and otherwise transfer such real property, so long as such transactions do not conflict with the mission of the authority as specified in this act;

(8) incur or assume indebtedness to, and enter into contracts with the Kansas development finance authority, which is authorized to borrow money and provide financing for the authority;

(9) develop policies and procedures generally applicable to the procurement of goods, services and construction, based upon sound business practices;

(10) contract for and to accept any gifts, grants and loans of funds, property, or any other aid in any form from the federal government, the state, any state agency, or any other source, or any combination thereof, and to comply with the provisions of the terms and conditions thereof;

(11) acquire space, equipment, services, supplies and insurance necessary to carry out the purposes of this act;

(12) deposit any moneys of the authority in any banking institution within or without the state or in any depository authorized to receive such deposits, one or more persons to act as custodians of the moneys of the authority, to give surety bonds in such amounts in form and for such purposes as the board requires;

(13) procure such insurance, participate in such insurance plans or provide such self insurance or both as it deems necessary or convenient to carry out the purposes and provisions of this act; the purchase of insurance, participation in an insurance plan or creation of a self-insurance fund by the authority shall not be deemed as a waiver or relinquishment of any sovereign immunity to which the authority or its officers, directors, employees or agents are otherwise entitled;

(14) appoint, supervise and set the salary and compensation of a president of the authority who shall be appointed by and serve at the pleasure of the board;

(15) fix, revise, charge and collect rates, rentals, fees and other charges for the services or facilities furnished by or on behalf of the authority, and to establish policies and procedures regarding any such service rendered for the use, occupancy or operation of any such facility; such charges and policies and procedures not to be subject to supervision or regulation by any commission, board, bureau or agency of the State; and

(16) do any and all things necessary or convenient to carry out the authority's purposes and exercise the powers given in this act.

(b) The authority may create, own in whole or in part, or otherwise acquire or dispose of any entity organized for a purpose related to or in support of the mission of the authority.

(c) The authority may participate in joint ventures with individuals, corporations, governmental bodies or agencies, partnerships, associations, insurers or other entities to facilitate any activities or programs consistent with the public purpose and intent of this act.

(d) The authority may create a nonprofit entity or entities for the purpose of soliciting, accepting and administering grants, outright gifts and bequests, endowment gifts and bequests and gifts and bequests in trust which entity or entities shall not engage in trust business.

(e) In carrying out any activities authorized by this act, the authority may provide appropriate assistance, including the making of loans and providing time of employees, to corporations, partnerships, associations, joint ventures or other entities, whether or not such corporations, partnerships, associations, joint ventures or other entities are owned or controlled in whole or in part, directly or indirectly, by the authority.

(f) Effective with the transfer date, all moneys of the authority shall be deposited in one or more banks or trust companies in one or more special accounts. All banks and trust companies are authorized to give security for such deposits if required by the authority. The moneys in such accounts shall be paid out on a warrant or other orders of the treasurer of the authority or any such other person or persons as the authority may authorize to execute such warrants or orders.

(g) Notwithstanding any provision of law to the contrary, the authority, effective with the transfer date, may invest the authority's operating funds in any obligations or securities as authorized by the board. The board shall adopt written investment guidelines.

(h) The authority is authorized to negotiate contracts with one or more qualified parties to provide collection services. The selection of a collection services provider

shall be based on responses to a request for proposals from qualified professional firms and shall be administered in accordance with policies adopted by the board.

(i) Notwithstanding any provision of law to the contrary, no abortion shall be performed, except in the event of a medical emergency, in any medical facility, hospital or clinic owned, leased or operated by the authority. The provisions of this subsection are not applicable to any member of the physician faculty of the university of Kansas school of medicine on property not owned, leased or operated by the authority. As used in this subsection, "medical emergency" ~~means a pregnant woman's medical condition that, on the basis of a physician's good-faith clinical judgment, necessitates an immediate abortion to avert the woman's death or to avert a serious risk of substantial and irreversible impairment of a major bodily function~~ has the meaning as defined in K.S.A. 65-6701, and amendments thereto.

New Sec. 23. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.";

And by renumbering sections accordingly;

On page 68, in line 1, after "65-6710," by inserting "76-3308,";

On page 1, in the title, in line 4, following "65-6710," by inserting "76-3308,"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 269** be amended on page 1, following line 36, by inserting:

"(c) The holder of a retailer's license or such licensee's employees, managers or agents shall not, directly or indirectly, have any financial interest in a club, drinking establishment, farm winery, microbrewery, caterer or holder of a temporary license, except as provided in K.S.A. 41-2623, and amendments thereto. When the spouse of the holder of a retailer's license applies for a club or drinking establishment license or a caterer's license, each spouse must file with the director an affidavit of no financial interest.";

And by redesignating subsections accordingly;

On page 2, by striking all in lines 33 through 37;

And by renumbering paragraphs accordingly;

On page 3, following line 4, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9), (12) or (13) of K.S.A. 41-311, and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) Any person who has a beneficial interest in a microbrewery or farm winery licensed pursuant to the Kansas liquor control act may be issued any or all of the following: (1) Class B club license; (2) drinking establishment license; and (3) caterer's license.

(F) The spouse of a retailer's license may be issued any or all of the following: (i) Drinking establishment license; and

(ii) caterer's license.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311, and amendments thereto shall not apply in determining whether a beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person who does not own the premises for which a license is sought, or does not, at the time the application is submitted, have a written lease thereon, except that an applicant seeking a license for a premises which is owned by a city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises may submit an executed agreement to provide alcoholic beverage services at the premises listed in the application in lieu of a lease.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.

Sec. 4. K.S.A. 2011 Supp. 41-305 is hereby amended to read as follows: 41-305. (a) A manufacturer's license shall allow the manufacture and storage of alcoholic liquor and cereal malt beverage and the sale of alcoholic liquor and cereal malt beverage to distributors and nonbeverage users licensed in this state and to such persons outside this state as permitted by law.

(b) A manufacturer's license also shall allow the serving free of charge on the licensed premises of samples of alcoholic liquor manufactured by the licensee, provided the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Samples shall be served by the licensee, or an employee or agent thereof. No sample shall be served to an individual who is a minor. No individual shall remove all or any portion of a sample from the licensed premises. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises.

(c) A person holding a farm winery license issued pursuant to K.S.A. 41-308a, and amendments thereto, may also be issued a manufacturer's license; provided, that no alcoholic liquor or cereal malt beverage manufactured by such licensee shall be sold by such licensee at its licensed premises or at any of such licensee's winery outlets.";

And by renumbering sections accordingly;

Also on page 3, in line 5, by striking "is" and inserting "and K.S.A. 2011 Supp. 41-305 and 41-2623 are";

On page 1, in the title, in line 2, after "41-308" by inserting "and K.S.A. 2011 Supp. 41-305 and 41-2623"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 277** be amended on page 10, following line 16, by inserting:

"Sec. 9. K.S.A. 2011 Supp. 41-311 is hereby amended to read as follows: 41-311.

(a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who has not been a citizen of the United States for at least 10 years, except that the spouse of a deceased retail licensee may receive and renew a retail license notwithstanding the provisions of this subsection (a)(1) if such spouse is otherwise qualified to hold a retail license and is a United States citizen or becomes a United States citizen within one year after the deceased licensee's death;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of the liquor control act, the beer and cereal malt beverage keg registration act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

(4) who has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(5) who has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702, and amendments thereto, shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not, at the time of application, have a written lease thereon;

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license;

(13) whose spouse has been convicted of a felony or other crime which would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act; or

(14) who does not provide any data or information required by K.S.A. 2011 Supp. 41-311b, and amendments thereto.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has a beneficial interest in a manufacturer, distributor, farm winery or microbrewery licensed under this act, except that the spouse of an applicant for a retailer's license may own and hold a farm winery license, microbrewery license, or both, if the spouse does not hold a retailer's license issued under this act;

(4) a person who has a beneficial interest in any other retail establishment licensed under this act, except that the spouse of a licensee may own and hold a retailer's license for another retail establishment;

(5) a copartnership, unless all of the copartners are qualified to obtain a license;

(6) a corporation; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all

the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;

(4) an individual who is not a resident of this state;

(5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application; or

(6) a person who has a beneficial interest in a distributor, retailer, farm winery or microbrewery licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason other than citizenship and residence requirements, provided that at least one officer and one director of the corporation meets the citizenship and residence requirements. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license; or

(4) a person who has a beneficial interest in a manufacturer, retailer, farm winery or microbrewery licensed under this act.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage

user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license or farm winery license shall be issued to a:

(1) Person who is not a resident of this state;

(2) person who has not been a resident of this state for at least one year immediately preceding the date of application;

(3) person who has a beneficial interest in a manufacturer or distributor licensed under this act, except as provided in K.S.A. 41-305, and amendments thereto;

(4) person, copartnership or association which has a beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702, and amendments thereto, except that the spouse of an applicant for a microbrewery or farm winery license may own and hold a retailer's license if the spouse does not hold a microbrewery or farm winery license issued under this act;

(5) copartnership, unless all of the copartners are qualified to obtain a license;

(6) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(7) a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.

(g) The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (f)(1), (f)(2) and K.S.A. 2011 Supp. 41-311b, and amendments thereto, shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;

(3) has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(4) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes; or

(5) is less than 21 years of age.";

And by renumbering sections accordingly;

In line 18, after "41-310," by inserting "41-311,";

On page 1, in the title, in line 3, after "41-310," by inserting "41-311,"; and the bill be

passed as amended.

Committee on **Federal and State Affairs** recommends **SB 288** be amended on page 5, following line 11, by inserting:

"Sec. 4. On and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a microbrewery or farm winery, if authorized by K.S.A. 41-308a or 41-308b, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding

premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies

adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.";

On page 5, in line 12, following "K.S.A." by inserting "41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340, 41-341,"; following line 13, by inserting:

"Sec. 6. On and after January 1, 2013, K.S.A. 2011 Supp. 41-719 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating to sales of alcoholic" in line 2, by striking all before "amending" in line 3, following "Supp." by inserting "41-719 and"; in line 4, following "sections" by inserting: "; also repealing K.S.A. 41-333, 41-334, 41-335, 41-336, 41-337, 41-338, 41-339, 41-340 and 41-341"; and the bill be passed as amended.

Committee on **Financial Institutions** recommends **SB 345** be passed.

Committee on **Financial Institutions** recommends **SB 287** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 287," as follows:

"HOUSE Substitute for SENATE BILL NO. 287

By Committee on Financial Institutions

"AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2234 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267."; and the substitute bill be passed.

(H Sub **SB 287** was thereupon introduced and read by title.)

Committee on **Financial Institutions** recommends **SB 315** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 315," as follows:

"HOUSE Substitute for SENATE BILL NO. 315

By Committee on Financial Institutions

"AN ACT concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections."; and the substitute bill be passed.

(**H Sub SB 315** was thereupon introduced and read by title.)

Committee on **Insurance** recommends **HB 2764** amended on page one, following line 5, by inserting:

"New Section 1. (a) The secretary of the department of social and rehabilitation services, or any successor agency, is hereby authorized and directed to study and identify the number of individuals in Kansas who need this coverage and the cost of providing treatment for autism to people in the state of Kansas. Such study shall include a determination of the actual cost of providing coverage for the treatment and diagnosis of autism spectrum disorders in any individual in the state of Kansas whose age is less than 19 years. The coverage and level of service for the treatment and diagnosis of autism spectrum disorders required by this subsection shall be the same as the coverage and level of service required by section 2, and amendments thereto.

(b) The secretary of the department of social and rehabilitation services, or any successor agency, shall prepare and submit a report containing the secretary's findings and recommendations. This report shall be submitted to the president of the senate, the speaker of the house of representatives, the senate committee on ways and means and the house of representatives committee on appropriations on or before January 20, 2013.";

On page 3, in line 33, by striking "1" and inserting "2";

On page 4, in line 9, by striking "1" and inserting "2";

And renumbering sections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 403** be passed.

Committee on **Judiciary** recommends **HB 2741** be amended on page 18, in line 15, by striking "section"; in line 16, by striking "6, and amendments thereto,"; in line 17, before "shall" by inserting "this article"; in line 29, after "prior" by inserting "child support";

On page 20, in line 11, after "(a)" by inserting "*Parents.*"; in line 15, after "(b)" by inserting "*Enforcement of rights.*"; also in line 15, by striking "visitation rights under K.S.A. 23-3301, and"; in line 16, by striking "amendments thereto, or"; in line 17, by striking "section 6, and amendments thereto," and inserting "this article"; in line 20, after "(c)" by inserting "*Court- ordered exchange or parenting time at a child exchange and visitation center.*"; also in line 20, by striking "visitation" and inserting "parenting time";

On page 21, in line 41, by striking "section 6,"; in line 42, by striking "and amendments thereto," and inserting "this article";

On page 22, in line 11, by striking "pursuant to"; in line 13, by striking "section 6, and amendments thereto," and inserting "under this article"; in line 32, by striking "pursuant to K.S.A. 2011 Supp."; in line 33, by striking "23-3201"; in line 34, by striking "through 23-3207"; also in line 34, by striking "and 23-3218 and section 6, and amendments"; in line 35, by striking "thereto" and inserting "under this article"; in line 36, by striking "K.S.A. 2011 Supp."; in line 37, by striking "23-3001 through 23-"; in line 38, by striking "3006, 23-3201 through 23-3207"; also in line 38, by striking "and 23-3218 and section 6, and"; in line 39, by striking "amendments thereto" and inserting "this article"; in line 41, by striking "pursuant to K.S.A. 2011 Supp."; in line 42, by striking "23-3201 through 23-"; in line 43, by striking "3207"; also in line 43, by striking "and 23-3218 and section 6, and amendments thereto," and inserting "under this article";

On page 24, in line 33, by striking "shall be binding and"; in line 36, by striking "section"; in line 37, by striking "6" and inserting "article 32 or article 33 of chapter 23 of the Kansas Statutes Annotated"; in line 40, after "rights" by inserting "under article 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto,"; also in line 40, by striking "pursuant to"; in line 41, by striking "section 6" and inserting "under article 32 of chapter 23 of the Kansas Statutes Annotated"; in line 43, by striking ", and amendments thereto";

On page 71, in line 30, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HCR 5006** be amended by adoption of the amendments recommended by the House Committee on Judiciary as reported in the Journal of the House on February 18, 2011, and the bill, as printed with amendments by House Committee, be further amended on page 1, in line 17, by striking "or as may be required by the"; in line 18, by striking "constitution of the United States"; in line 25, by striking "or as may"; in line 26, by striking "be required by the constitution of the United States"; in line 35, by striking "or as may be required by";

On page 2, in line 1, by striking "the constitution of the United States"; and the resolution be adopted as amended.

Committee on **Judiciary** recommends **SB 62** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 62," as follows:

"HOUSE Substitute for SENATE BILL NO. 62

By Committee on Judiciary

"AN ACT concerning medical care facilities; relating to abortion; sterilization; amending K.S.A. 65-443, 65-446 and 65-447 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 62** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 142** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 142," as follows:

"HOUSE Substitute for SENATE BILL NO. 142

By Committee on Judiciary

"AN ACT concerning civil procedure; relating to exercise of religion."; and the substitute bill be passed.

(**H Sub for SB 142** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 160** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 160," as follows:

"HOUSE Substitute for SENATE BILL NO. 160

By Committee on Judiciary

"AN ACT concerning real property; relating to trespass and liability; exceptions; amending K.S.A. 58-3201 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 160** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 262** be amended on page 1, in line 6, after "parent" by inserting "and not placed with the child's other parent"; also in line 6, after "grandparent" by inserting "who requests custody"; in line 7, by striking "consideration" and inserting "preference";

Also on page 1, following line 20, by inserting:

"(c) If the court does not give custody of a child to a grandparent pursuant to

subsection (b) and the child is placed in the custody of the secretary of social and rehabilitation services, a grandparent who requests placement of the child in such grandparent's home shall receive preference in the evaluation of the secretary's placement of the child. The secretary shall consider all relevant factors, including, but not limited to, all factors listed in subsection (b) in deciding whether to place the child in the home of such grandparent. If the secretary decides that the child is not to be placed in the home of such grandparent, the secretary shall prepare and maintain a written report providing the specific reasons for such placement.";

And by relettering subsections accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 304** be amended on page 3, in line 41, by striking "master" and inserting "masters";

On page 4, in line 1, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 3, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 7, by striking "the"; in line 8, by striking "effective date of this act" and inserting "January 1, 2013";

On page 5, in line 43, by striking "master" and inserting "masters";

On page 6, in line 6, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 7, by striking "the effective date of this act" and inserting "January 1, 2013,"; in line 12, by striking "the effective date of this act" and inserting "January 1, 2013";

On page 10, by striking all in lines 25 through 43;

By striking all on page 11;

On page 12, by striking all in lines 1 through 27;

On page 13, in line 20, after "program" by inserting ", unless otherwise ordered by the court or department of corrections"; in line 33, after the second "program" by inserting ", unless otherwise ordered by the court or department of corrections";

On page 22, in line 40, by striking "and any other evaluation";

On page 23, in line 24, by striking "or in the municipal court";

On page 24, following line 3, by inserting:

"Sec. 17. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby amended to read as follows: 23-3508. (a) The court may order case management, when appropriate, of any contested issue of child custody or parenting time at any time, upon the motion of a party or on the court's own motion. A hearing officer in a proceeding pursuant to K.S.A. 2011 Supp. 23-3401, and amendments thereto, may order case management, if appropriate, of a contested issue of child visitation or parenting time in such a proceeding.

(b) Cases in which case management is appropriate shall include one or more of the following circumstances:

(1) Private or public neutral dispute resolution services have been tried and failed to resolve the disputes;

(2) other neutral services have been determined to be inappropriate for the family;

(3) repetitive conflict occurs within the family, as evidenced by the filing of at least two motions in a six-month period for enforcement, modification or change of residency, visitation, parenting time or custody which are denied by the court; or

(4) a parent exhibits diminished capacity to parent.

(c) If the court or hearing officer orders case management under subsection (a), the court or hearing officer shall appoint a case manager, taking into consideration the

following:

(1) An agreement by the parties to have a specific case manager appointed by the court or hearing officer;

(2) the financial circumstances of the parties and the costs assessed by the case manager;

(3) the case manager's knowledge of (A) the Kansas judicial system and the procedure used in domestic relations cases, (B) other resources in the community to which parties can be referred for assistance, (C) child development, (D) clinical issues relating to children, (E) the effects of divorce on children and (F) the psychology of families; and

(4) the case manager's training and experience in the process and techniques of alternative dispute resolution and case management.

(d) To qualify as an appointed case manager, an individual shall:

(1) (A) Be currently licensed in Kansas as a licensed psychologist, licensed masters level psychologist, licensed clinical psychotherapist, licensed professional counselor, licensed clinical professional counselor, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed master social worker or licensed specialist social worker; or

(B) be currently licensed to practice law in Kansas and have at least five years of experience in the field of domestic relations law or family law;

~~(1) (2)~~ be qualified to conduct mediation;

~~(2) (3)~~ have experience as a mediator mediated at least five domestic relations cases;

~~(3) (4) attend a workshop~~ attend one or more workshops, approved and as ordered by the district court in which the case is filed, on case management; and

~~(4) (5) participate in continuing education~~ complete a minimum number of continuing education hours regarding case management issues as established and approved by the supreme court."

(e) On and after September 1, 2012, any case manager appointed by the court prior to, on or after the effective date of this section shall meet the requirements of subsection (d).

Sec. 18. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 24, in line 4, by striking "12-4509,";

On page 1, in the title, in line 1, by striking "violence" and inserting "relations"; in line 2, before "amending" by inserting "case management,"; also in line 2, by striking "12-4509,"; in line 3, by striking "and 22-4616" and inserting ", 22-4616 and 23-3508"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 114** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 114," as follows:

"HOUSE Substitute for SENATE BILL NO. 114

By Committee on Local Government

"AN ACT concerning counties; relating to certain solid waste disposal areas."; and the substitute bill be passed.

(H Sub for SB 114 was thereupon introduced and read by title.)

Committee on **Local Government** recommends **SB 207** be amended on page 1, in

line 16, after "after" by inserting "January 1, 2013, and"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 341** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 341," as follows:

"HOUSE Substitute for SENATE BILL NO. 341

By Committee on Local Government

"AN ACT concerning governmental organization; relating to consolidation; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904, 12-3909 and 19-205 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 341** was thereupon introduced and read by title.)

Committee on **Redistricting** recommends **SB 344** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 344," as follows:

"HOUSE Substitute for SENATE BILL NO. 344

By Committee on Redistricting

"AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142."; and the substitute bill be passed.

(**H Sub SB 344** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2560** be amended on page 11, in line 22, by striking "2013, and all tax years thereafter" and inserting "'years 2013 through 2018"; in line 37, by striking "2013, and all tax years thereafter" and inserting "years 2013 through 2018"; in line 38, by striking "It" and inserting "If";

On page 12, in line 11, by striking "year 2011, and all tax years thereafter" and inserting "years 2013 through 2018"; after line 16, by inserting the following:

"(e) For tax year 2019, and all tax years thereafter, there shall be no income tax imposed under the provisions of this section.";

On page 19, after line 37, by inserting the following:

"(xx) For all taxable years commencing after December 31, 2012, the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code and as claimed and allowed as an itemized deduction on the taxpayer's form 1040 federal income tax return pursuant to section 163 of the federal internal revenue code."; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 99, by Representative Hermanson, commending Dr. Greg Larkin for his outstanding ability to provide exceptional patient care for Physicians Development Group;

Request No. 100, by Representative Hermanson, commending the Blues Brothers Real Estate Team on outstanding community and civic leadership;

Request No. 101, by Representative Hermanson, commending Matt Lillie for exceptional planning and innovative design for Physicians Development Group;

Request No. 102, by Representative Hermanson, commending Fred Hermes for

exceptional management skills for Physicians Development Group;

Request No. 103, by Representative Kelly, congratulating the Independence Public Library on receiving the 2012 Library Journal's award for "Best Small Library in America" sponsored by the Bill and Linda Gates Foundation;

Request No. 104, by Representative Schwartz, congratulating Frankfort Boys Basketball Team for winning the Class 1A Boys Basketball Division II State Tournament Championship;

Request No. 105, by Representative Goico, congratulating John Morgan on achieving the rank of Eagle Scout;

Request No. 106, by Representative Brown, congratulating Alexander T. Whitten on achieving the rank of Eagle Scout;

Request No. 107, by Representative O'Brien, congratulating Bailey Kiefer on receiving the Girl Scout Gold Award;

Request No. 108, by Representative O'Brien, congratulating Megan Woods on receiving the Girl Scout Gold Award;

Request No. 109, by Representative O'Brien, congratulating Holley Thompson on receiving the Girl Scout Gold Award;

Request No. 110, by Representative O'Brien, congratulating Annie Watkins on receiving the Girl Scout Gold Award;

Request No. 111, by Representative Vickrey, congratulating Tyler Hennes for being selected as a Scholar Athlete by the Greater Kansas City Football Coaches Association;

Request No. 112, by Representative Vickrey, congratulating Garrett Griffin for being selected as a Scholar Athlete by the Greater Kansas City Football Coaches Association;

Request No. 113, by Representative Vickrey, congratulating the Panther Robotics of Paola High School for winning the Chairman's Award from the 2012 Greater Kansas City Regional for FIRST;

Request No. 114, by Representative Calloway, congratulating Elsie Mae Knapp on celebrating her 100th birthday;

Request No. 115, by Representatives Carlin and Phillips, commending Dawson Adams for rescuing a two year old drowning victim from the bottom of a swimming pool on December 31, 2011;

Request No. 116, by Representative Pottorff, congratulating Kapuan Mt. Carmel Girls' Basketball Team for winning the 2012 State 5A Championship;

Request No. 117, by Representative Bowers, congratulating Trish Remley, in recognition for Grassland Gardens Nursery and Flower Farm being named 2011 Existing Business of the year by KSBDC;

Request No. 118, by Representative Burgess, congratulating Silver Lake High School on being the Girls 3A State Basketball Champions for 2011-2012;

Request No. 119, by Representatives Carlin and Phillips, commending Sandra Vidal for performing lifesaving cpr on a two year old drowning victim at a swimming pool on December 31, 2011;

Request No. 120, by Representative Burgess, congratulating all the members of the Silver Lake Girls' Basketball Team on winning the 3A State Basketball Championship for 2011-2012;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfroid, the committee report was adopted.

MESSAGE FROM THE SENATE

Announcing passage of **SB 311, SB 314, SB 379, SB 390; Sub SB 397; SB 431, SB 436.**

Announcing passage of **HB 2465; Sub HB 2470; HB 2599, HB 2612, HB 2618, HB 2683, HB 2737.**

Announcing passage of **Sub HB 2427, as amended; HB 2432, as amended; HB 2461, as amended; HB 2557, as amended; HB 2704, as amended.**

Announcing rejection of **HB 2417.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 311, SB 314, SB 379, SB 390; Sub SB 397; SB 431, SB 436.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 102, SB 145** from Committee on Elections and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2521; Sub HB 2634 reported correctly engrossed March 16, 2012.

REPORT ON ENROLLED BILLS

HB 2535 reported correctly enrolled, properly signed and presented to the Governor on March 16, 2012.

On motion of Rep. Siegfroid, the House adjourned until 10:00 a.m., Monday, March 19, 2012.

Journal of the House

FORTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 19, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Reps. Peterson and B. Wolf were excused on excused absence by the Speaker.

Present later: Rep. B. Wolf.

Reps. Hermanson and LeDoux were excused later in the day on verified illness.

Prayer by guest chaplain, the Rev. Paul Tessaro, pastor, St. Paul Lutheran Church, Clay Center, and guest of Rep. Swanson:

Heavenly Father,

We thank You for Your presence with us today, for bringing us to the beginning of this new week. Thank you for the opportunities to serve You in this new day and new week. Grant wisdom and strength to our Representatives as they make difficult decisions in these times of uncertainty and struggle for many. We pray the same wisdom and strength for our Senators and Governor Brownback.

We pray for Your blessing to be upon all areas of our state, on our farms and fields, on our cities and towns and each of our citizens. Grant peace, safety and prosperity according to Your divine will.

We pray also for our nation's armed forces who are serving to keep and restore peace. Protect them, lead them and give them success as they serve to bring stability in many areas. Guard also their families as they anxiously await the return home of their loved ones.

Father, we pray also for the family and friends of Don Dunn. Please bring them comfort during these difficult times.

As we go through life we are often faced with difficult decisions, sometimes there is no clear solution, sometimes we are forced to choose the lesser of two evils. In those situations, let us, as Luther stated, "Sin boldly." Not because we promote sin, but because Your grace is sufficient for difficult situations, and for all of life. In that grace we pray, live and have our being. In Jesus' name. Amen.

The Pledge of Allegiance was led by Rep. Calloway.

Kansas Trivia Question – What is the largest free outdoor concrete municipal swimming pool in the world?

Answer: The Big Pool in Garden City's Finnup Park, said to hold 2.5 million gallons of water.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture and Natural Resources: **SB 314, SB 447.**

Appropriations: **SB 311, SB 436.**

Committee of the Whole: **Sub SB 397; SCR 1616.**

Federal and State Affairs: **SB 379, SB 390.**

Financial Institutions: **SB 431.**

CONSENT CALENDAR

No objection was made to **SB 353** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 294, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 36; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, K. Wolf, Worley.

Nays: Ballard, Bethell, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Pauls, Phelps, Ruiz, Slattery, Sloan, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Peterson, B. Wolf.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: We vote yes on **H Sub for SB 294** but believe that the deficiencies in this budget can and must be corrected later in the process. We shouldn't have to choose between adequately funding K-12 and fully supporting KDOT's T-Works. Funding early childhood programs through the CIF is unnecessarily restrictive and funds should be restored at omnibus. If we demand the courts be efficient then we must provide resources to begin transitioning to e-filing, and swift access to justice will be threatened if we won't fund additional court personnel. This budget is only a start. Improvement is possible. – DON HINEMAN, J. ROBERT BROOKENS, VERN SWANSON, RICH PROEHL, CHARLIE ROTH, RON WORLEY, KAY WOLF, DON HILL, SHERYL SPALDING, TOM MOXLEY, BARBARA BOLLIER

Mr. Speaker: This is a budget of misguided priorities and missed opportunities. It fails to restore any cuts schools have endured in recent years. It cuts funding for children's programs and eliminates funding for programs for seniors and the disabled, all while adding \$1 million to the Legislature's own budget and growing a \$500 million ending balance. If we can afford new tax cuts for big businesses and the wealthiest Kansans, we can afford to properly fund public education and essential state services. Unfortunately, this budget ignores those needs. For that reason, I vote NO on **H Sub for SB 294**. – Bill Feuerborn, Jerry Henry, Stan Frownfelter, Janice L. Pauls, Ed Trimmer, Valdenia Winn, Melanie Meier, Annie Kuether, Judith Loganbill, Gail Finney, Vincent Wetta, Ann Mah, Doug Gatewood, Louis Ruiz, Bob Grant, Sydney Carlin, Melody McCray-Miller, Jerry Williams, Eber Phelps, Barbara W. Ballard, Annie Tietze, Mike Slattery, Harold Lane, Geraldine Flaharty, Nile Dillmore, Paul Davis, Kathy Wolfe Moore, Tom Burroughs

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Kinzer in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kinzer, Committee of the Whole report, as follows, was adopted: Recommended that **SB 252**; **HB 2777**; **SB 280** be passed.

HB 2718 (see Afternoon Session); **Sub HB 2709** (see Afternoon Session); **SB 261**; **HB 2425** (see Afternoon Session) be passed over and retain a place on the Calendar.

Committee report to **SB 258** be adopted; and the bill be passed as amended.

Committee reports to **HB 2018** be adopted; and the bill be passed as amended.

Committee report to **SB 120** be adopted; also on motion to recommend the bill favorably for passage, the motion did not prevail.

On motion of Rep. Bowers, **SB 300** be amended on page 30, in line 41, by striking "Kansas Register" and inserting "statute book"; and the bill be passed as amended.

On motion of Rep. Siegfried, pursuant to House Rule 2311, Rule 1704 be suspended or the purpose of allowing designated members to speak more than twice on **H Sub for SB 259**, those members being Reps. Grange, Ruiz, Flaharty, Johnson, Roth, M. Holmes and Trimmer.

Committee report recommending a substitute bill to **H Sub for SB 259** be adopted; also, on motion of Rep. Grange be amended on page 4, following line 38, by inserting:

"(e) For a member to be eligible for an additional interest credit, the member must be employed by a participating employer both at the time when the system earned the interest and when the interest credit is paid out.";

On page 6, in line 21, by striking "(b)" and inserting "(a)"

Also, on further motion of Rep. Grange, **H Sub for SB 259** be amended on page 24, following line 3, by inserting:

"Sec. 29. K.S.A. 2011 Supp. 74-4927 is hereby amended to read as follows: 74-4927. (1) The board may establish a plan of death and long-term disability benefits to be paid to the members of the retirement system as provided by this section. The long-term disability benefit shall be payable in accordance with the terms of such plan as established by the board, except that for any member who is disabled prior to the effective date of this act, the annual disability benefit amount shall be an amount equal to $66\frac{2}{3}\%$ of the member's annual rate of compensation on the date such disability commenced. Such plan shall provide that:

(A) For deaths occurring prior to January 1, 1987, the right to receive such death benefit shall cease upon the member's attainment of age 70 or date of retirement whichever first occurs. The right to receive such long-term disability benefit shall cease (i) for a member who becomes eligible for such benefit before attaining age 60, upon the date that such member attains age 65 or the date of such member's retirement, whichever first occurs, and (ii) for a member who becomes eligible for such benefit at or after attaining age 60, the date that such member has received such benefit for a period of five years, or upon the date of such member's retirement, whichever first occurs.

(B) Long-term disability benefit payments shall be in lieu of any accidental total disability benefit that a member may be eligible to receive under subsection (3) of K.S.A. 74-4916, and amendments thereto. The member must make an initial application for social security disability benefits and, if denied such benefits, the member must pursue and exhaust all administrative remedies of the social security administration which include, but are not limited to, reconsideration and hearings. Such plan may provide that any amount which a member receives as a social security benefit or a disability benefit or compensation from any source by reason of any employment including, but not limited to, workers compensation benefits may be deducted from the amount of long-term disability benefit payments under such plan. However, in no event shall the amount of long-term disability benefit payments under such plan be reduced by any amounts a member receives as a supplemental disability benefit or compensation from any source by reason of the member's employment, provided such supplemental disability benefit or compensation is based solely upon the portion of the member's monthly compensation that exceeds the maximum monthly compensation taken into account under such plan. As used in this paragraph, "maximum monthly compensation" means the dollar amount that results from dividing the maximum monthly disability benefit payable under such plan by the percentage of compensation that is used to calculate disability benefit payments under such plan. During the period in which such member is pursuing such administrative remedies prior to a final decision of the social security administration, social security disability benefits may be estimated and may be deducted from the amount of long-term disability benefit payments under such plan. If the social security benefit, workers compensation benefit, other income or wages or other disability benefit by reason of employment other than a supplemental benefit

based solely on compensation in excess of the maximum monthly compensation taken into account under such plan, or any part thereof, is paid in a lump-sum, the amount of the reduction shall be calculated on a monthly basis over the period of time for which the lump-sum is given. As used in this section, "workers compensation benefits" means the total award of disability benefit payments under the workers compensation act notwithstanding any payment of attorney fees from such benefits as provided in the workers compensation act.

(C) The plan may include other provisions relating to qualifications for benefits; schedules and graduation of benefits; limitations of eligibility for benefits by reason of termination of employment or membership; conversion privileges; limitations of eligibility for benefits by reason of leaves of absence, military service or other interruptions in service; limitations on the condition of long-term disability benefit payment by reason of improved health; requirements for medical examinations or reports; or any other reasonable provisions as established by rule and regulation of uniform application adopted by the board.

(D) Any visually impaired person who is in training at and employed by a sheltered workshop for the blind operated by the secretary of social and rehabilitation services and who would otherwise be eligible for the long-term disability benefit as described in this section shall not be eligible to receive such benefit due to visual impairment as such impairment shall be determined to be a preexisting condition.

(2) (A) In the event that a member becomes eligible for a long-term disability benefit under the plan authorized by this section such member shall be given participating service credit for the entire period of such disability. Such member's final average salary shall be computed in accordance with subsection (17) of K.S.A. 74-4902, and amendments thereto, except that the years of participating service used in such computation shall be the years of salaried participating service.

(B) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding retirement, such member's final average salary shall be adjusted upon retirement by the actuarial salary assumption rates in existence during such period of disability. Effective July 1, 1993, such member's final average salary shall be adjusted upon retirement by 5% for each year of disability after July 1, 1993, but before July 1, 1998. Effective July 1, 1998, such member's final average salary shall be adjusted upon retirement by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor minus 1%; or (ii) four percent *per annum*, measured from the member's last day on the payroll to the month that is two months prior to the month of retirement, for each year of disability after July 1, 1998.

(C) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding death, such member's current annual rate shall be adjusted by the actuarial salary assumption rates in existence during such period of disability. Effective July 1, 1993, such member's current annual rate shall be adjusted upon death by 5% for each year of disability after July 1, 1993, but before July 1, 1998. Effective July 1, 1998, such member's current annual rate shall be adjusted upon death by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers published by the bureau of labor statistics of the United States

department of labor minus 1%; or (ii) four percent *per annum*, measured from the member's last day on the payroll to the month that is two months prior to the month of death, for each year of disability after July 1, 1998.

(3) (A) To carry out the legislative intent to provide, within the funds made available therefor, the broadest possible coverage for members who are in active employment or involuntarily absent from such active employment, the plan of death and long-term disability benefits shall be subject to adjustment from time to time by the board within the limitations of this section. The plan may include terms and provisions which are consistent with the terms and provisions of group life and long-term disability policies usually issued to those employers who employ a large number of employees. The board shall have the authority to establish and adjust from time to time the procedures for financing and administering the plan of death and long-term disability benefits authorized by this section. Either the insured death benefit or the insured disability benefit or both such benefits may be financed directly by the system or by one or more insurance companies authorized and licensed to transact group life and group accident and health insurance in this state.

(B) The board may contract with one or more insurance companies, which are authorized and licensed to transact group life and group accident and health insurance in Kansas, to underwrite or to administer or to both underwrite and administer either the insured death benefit or the long-term disability benefit or both such benefits. Each such contract with an insurance company under this subsection shall be entered into on the basis of competitive bids solicited and administered by the board. Such competitive bids shall be based on specifications prepared by the board.

(i) In the event the board purchases one or more policies of group insurance from such company or companies to provide either the insured death benefit or the long-term disability benefit or both such benefits, the board shall have the authority to subsequently cancel one or more of such policies and, notwithstanding any other provision of law, to release each company which issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund.

(ii) In addition, the board shall have the authority to cancel any policy or policies of group life and long-term disability insurance in existence on the effective date of this act and, notwithstanding any other provision of law, to release each company which issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund. Notwithstanding any other provision of law, no premium tax shall be due or payable by any such company or companies on any such policy or policies purchased by the board nor shall any brokerage fees or commissions be paid thereon.

(4) (A) There is hereby created in the state treasury the group insurance reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. The cost of the plan of death and long-term disability benefits shall be paid from the group insurance reserve fund, which shall be administered by the board. Except as otherwise provided by this subsection, for the period commencing July 1, 2005, and ending June 30, 2006, each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and

employer retirement contributions an amount equal to .8% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve fund. For the period commencing July 1, 2006, and all periods thereafter, each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and employer retirement contributions an amount equal to 1.0% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve fund. Notwithstanding the provisions of this subsection, no participating employer shall appropriate and pay to the system any amount provided for by this subsection for deposit in the group insurance reserve fund for the period commencing on ~~April 1, 2010, and ending on June 30, 2010, and the period commencing on April 1, 2011, and ending on June 30, 2011~~ April 1, 2012, and ending on June 30, 2012.

(B) The director of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services a sum to pay the state's contribution to the group insurance reserve fund as provided by this section and shall present the same to the legislature for allowances and appropriation.

(C) The provisions of subsection (4) of K.S.A. 74-4920, and amendments thereto, shall apply for the purpose of providing the funds to make the contributions to be deposited to the group insurance reserve fund.

(D) Any dividend or retrospective rate credit allowed by an insurance company or companies shall be credited to the group insurance reserve fund and the board may take such amounts into consideration in determining the amounts of the benefits under the plan authorized by this section.

(5) The death benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as insured death benefit. The long-term disability benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as long-term disability benefit.

(6) The board is hereby authorized to establish an optional death benefit plan for employees and spouses and dependents of employees. Except as provided in subsection (7), such optional death benefit plan shall be made available to all employees who are covered or may hereafter become covered by the plan of death and long-term disability benefits authorized by this section. The cost of the optional death benefit plan shall be paid by the applicant either by means of a system of payroll deductions or direct payment to the board. The board shall have the authority and discretion to establish such terms, conditions, specifications and coverages as it may deem to be in the best interest of the state of Kansas and its employees which should include term death benefits for the person's period of active state employment regardless of age, but in no case, shall the maximum allowable coverage be less than \$200,000. The cost of the optional death benefit plan shall not be established on such a basis as to unreasonably discriminate against any particular age group. The board shall have full administrative responsibility, discretion and authority to establish and continue such optional death benefit plan and the director of accounts and reports of the department of administration shall when requested by the board and from funds appropriated or available for such purpose establish a system to make periodic deductions from state payrolls to cover the cost of the optional death benefit plan coverage under the provisions of this subsection

(6) and shall remit all deductions together with appropriate accounting reports to the system. There is hereby created in the state treasury the optional death benefit plan reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. All funds received by the board, whether in the form of direct payments, payroll deductions or otherwise, shall be accounted for separately from all other funds of the retirement system and shall be paid into the optional death benefit plan reserve fund, from which the board is authorized to make the appropriate payments and to pay the ongoing costs of administration of such optional death benefit plan as may be incurred in carrying out the provisions of this subsection (6).

(7) Any employer other than the state of Kansas which is currently a participating employer of the Kansas public employees retirement system or is in the process of affiliating with the Kansas public employees retirement system may also elect to affiliate for the purposes of subsection (6). All such employers shall make application for affiliation with such system, to be effective on January 1 or July 1 next following application.

(8) For purposes of the death benefit provided under the plan of death and long-term disability benefits authorized by this section and the optional death benefit plan authorized by subsection (6), commencing on the effective date of this act, in the case of medical or financial hardship of the member as determined by the executive director, or otherwise commencing January 1, 2005, the member may name a beneficiary or beneficiaries other than the beneficiary or beneficiaries named by the member to receive other benefits as provided by the provisions of K.S.A. 74-4901 *et seq.*, and amendments thereto.;

And by renumbering sections accordingly;

Also on page 24, in line 5, after "74-4920," by inserting "74-4927,";

On page 1, in the title, in line 9, after the semicolon by inserting "plan of death and long-term disability benefits;"; in line 10, after "74-4920," by inserting "74-4927,";

Also, on motion of Rep. M. Holmes, **H Sub for SB 259** be amended on page 24, following line 3, by inserting:

"Sec. 29. K.S.A. 2011 Supp. 74-4995 is hereby amended to read as follows: 74-4995. (a) Employer and employee contributions shall be governed by the provisions of K.S.A. 74-4919 and 74-4920, and amendments thereto. For purposes of contributions to and benefits under the Kansas public employees retirement system, compensation of a member of the legislature under this act shall be a monthly amount equal to: (1) The compensation to which the member was entitled for services as a member of the legislature during the ~~period January 15 to February 14, inclusive, of first 30 calendar days~~ of the most recent session in which the member has served; and (2) any amount to which the member makes an election pursuant to this subsection. In addition to the provisions of subsection (a)(1) and any election made pursuant to this subsection, the compensation of a member shall include an additional five days of compensation to which such member was entitled for services as a member of the legislature of the most recent session in which the member has served beyond the days provided for in subsection (a)(1). In addition to the provisions of subsection (a)(1), a member of the legislature may elect to participate with a rate of compensation that includes: (A) For service as a member after July 18, 1982, a monthly amount equal to $\frac{1}{12}$ of the annualized amount received for monthly allowance under subsection (c) of K.S.A. 46-137a, and amendments thereto; (B) a monthly amount equal to $\frac{1}{12}$ of the annualized

amount received for expenses allowance under subsection (b) of K.S.A. 46-137a, and amendments thereto; or (C) an amount equal to the combined amounts provided for in subsections (2)(A) and (2)(B). A member of the legislature who has filed an election to become a member of the system pursuant to the provisions of K.S.A. 74-4992, and amendments thereto, prior to July 1, 2006, shall file an election with the system to include any amounts specified in subsection (2)(A), (2)(B) or (2)(C) prior to August 1, 2006, except that nothing contained in this act shall be construed to permit a member of the legislature who has made an election pursuant to this section prior to the effective date of this act to revoke any such election previously made by such member. In the event that any such member fails to file such election prior to August 1, 2006, it shall be presumed that such member has elected to not include any amounts specified in subsection (2)(A), (2)(B) or (2)(C), and participate at a rate of compensation that includes only the amount provided in subsection (a)(1). A member of the legislature who files an election to become a member of the system pursuant to the provisions of K.S.A. 74-4992, and amendments thereto, on and after July 1, 2006, shall file an election with the system to include any amounts specified in subsection (2)(A), (2)(B) or (2)(C) at the same time that such member files the election to become a member of the system. In the event that any such member fails to file such election, it shall be presumed that such member has elected to not include any amounts specified in subsection (2)(A), (2)(B) or (2)(C), and participate at a rate of compensation that includes only the amount provided in subsection (a)(1).

(b) The employee rate of contribution shall be applied to any amounts to which a member has elected pursuant to the provisions of subsection (a)(2). The employee and employer contributions shall be remitted to the system quarterly with a report of such contributions as may be required by the board. Any changes in a member's rate of compensation and contributions as a result of any election mandated by this section for a member of the legislature who had filed an election to become a member of the system prior to July 1, 2006, shall be effective on October 1, 2006. All such elections pursuant to this section shall be in the form and manner prescribed by the board of trustees.

(c) Any member of the legislature making the election pursuant to subsection (a)(2) may not revoke such election while they remain a participating employee for service as a member of the legislature.;

And by renumbering sections accordingly;

On page 24, in line 5, after "74-4937," by inserting "74-4995,";

On page 1, in the title, in line 9, after the semicolon by inserting "members of legislature, rate of compensation;"; in line 10, after "74-4937," by inserting "74-4995,"

Also, on motion of Rep. Davis, **H Sub for SB 259** be amended on page 24, following line 3, by inserting:

"Sec. 29. K.S.A. 2011 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~and~~ reduction of local *ad valorem* tax in the same manner as provided for allocation of amounts in the local *ad valorem* tax reduction fund and reduction of the unfunded actuarial liability of the

Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the system.

(b) On July 1, 2012, July 1, 2013, July 1, 2014, July 1, 2015, July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: the Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 75% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.;

And by renumbering sections accordingly;

Also on page 24, in line 5, before "and" by inserting ", 74-8768";

On page 1, in the title, in line 9, before "amending" by inserting "authorized transfers from expanded lottery act revenues fund;"; in line 10, after "74-49,205" by inserting ", 74-8768";

Also, on motion of Rep. Worley, **H Sub for SB 259** be amended on page 9, in line 30, by striking "6%" and inserting "5%"; in line 40, by striking "6%" and inserting "5%";

Also, on further motion of Rep. Worley to amend **H Sub for SB 259**, the motion did not prevail.

Also, on motion of Rep. Grange, **H Sub SB 259** be amended on page 1, in line 19, before "shall" by inserting "and who makes an election as prescribed by section 29, and amendments thereto, or the default election in subsection (b)(2) of section 29, and amendments thereto, ";

On page 24, following line 3, by inserting:

"New Sec. 29. An employee first employed by a participating employer on or after January 1, 2014, shall elect to become a member of the plan established pursuant to section 1, *et seq.*, and amendments thereto, or the plan established pursuant to section 30 *et seq.*, and amendments thereto, by making an election within six months from such employee's first day of employment with a participating employer.

(b) (1) Elections made pursuant to this section shall be made on a form and in a manner prescribed by the board.

(2) An employee failing to make an election prescribed by this section shall be a member of the plan established pursuant to section 1 *et seq.*, and amendments thereto.

(3) An election made by a member prescribed by this section, including the default election pursuant to subsection (b)(2), is a one-time irrevocable election.

(c) A member in either plan who becomes inactive after an election prescribed by this section, and who returns to active membership remains in the plan previously elected.

(d) A member may not simultaneously be a member of the plan established in

section 1, *et seq.*, and amendments thereto, and the plan established in section 30 *et seq.*, and amendments thereto, and shall be a member of one plan or the other. A period of service shall be credited in only one plan or the other.

(e) During the six-month period commencing after the employee's first day of employment in which the employee has to make the election required pursuant to this section, the following provisions are applicable:

(1) Such employee shall participate in the Kansas public employees deferred compensation plan as provided pursuant to K.S.A. 2011 Supp. 74-49b07 *et seq.*, and amendments thereto, except that such employees shall have 6% of such employee's compensation deferred and deducted each payroll period in accordance with the Kansas public employees deferred compensation plan;

(2) the participating employer of any such employee shall contribute 1% of such member's compensation to a qualified government plan pursuant to section 401(a) and 414(d) of the federal internal revenue code and its implementing regulations; and

(3) upon the commencement of the employee's plan after the six-month election period prescribed by this section, all amounts in the employee's deferred compensation plan and the qualified plan prescribed in subsection (e)(2) shall be transferred to the plan that the employee elects pursuant to this act or the default election as prescribed by the board.

(f) Unless the context requires otherwise, terms used in this section shall have the meanings set forth in K.S.A. 74-4902, and amendments thereto.

New Sec. 30. (a) The provisions of sections 30 through 45, and amendments thereto, shall be known and may be cited as the Kansas public employees retirement system defined contribution act, and shall be effective on and after January 1, 2014.

(b) This act applies to any individual who is first employed by a participating employer on or after January 1, 2014, and who makes an election as prescribed by section 29, and amendments thereto.

(c) This act does not apply to members of the Kansas police and firemen's retirement system, K.S.A. 74-4951 *et seq.*, and amendments thereto, and the retirement system for judges, K.S.A. 20-2601 *et seq.*, and amendments thereto, and security officers as provided in K.S.A. 74-4914a, and amendments thereto.

New Sec. 31. Unless the context requires otherwise, terms that are used in this act have the meanings set forth for them in K.S.A. 74-4902, and amendments thereto, and the following definitions apply:

(a) "Act" means the provisions of section 30 *et seq.*, and amendments thereto;

(b) "active DC plan member" means a DC plan member who is actively employed by a participating employer;

(c) "defined benefit plan" means the defined benefit plan for the Kansas public employees retirement system for KPERS;

(d) "DC plan member" means an individual who is required by section 30, and amendments thereto, to be a member of the defined contribution plan. The term also includes any survivor or beneficiary of a DC plan member, who has a retirement account in the defined contribution plan;

(e) "optional retirement program" means the retirement plan established by the state board of regents under K.S.A. 74-4925, and amendments thereto; and

(f) "plan" or "defined contribution plan" means the defined contribution retirement plan established by section 32, and amendments thereto.

New Sec. 32. (a) The board shall establish within the Kansas public employees retirement system a separate defined contribution plan in accordance with the provisions of this act. The plan must be established as a pension plan for the exclusive benefit of members and their beneficiaries and as a “qualified governmental plan” pursuant to sections 401(a) and 414(d) of the federal internal revenue code and its implementing regulations. Retirement accounts must be established for each DC plan member. Assets of the plan must be held in trust. The plan is established in addition to any retirement, pension, deferred compensation or other benefit plan administered by the state or a political subdivision.

(b) The board shall contract for plan administration and use a competitive proposal process when contracting for consulting, educational, investment, recordkeeping or other services for the plan.

New Sec. 33. (a) The board has the powers and shall perform the duties regarding the defined contribution plan as provided in K.S.A. 74-4909, and amendments thereto, as applicable. The board may also exercise the powers and shall perform the duties provided in this act.

(b) The board shall adopt a plan document and reasonable and necessary policies and procedures, without the need for corresponding rules and regulations.

(c) The board shall negotiate a contract with a third party administrator for administration of the defined contribution plan. Such contract shall be awarded through a competitive proposal process including the issuance of a request for proposal. Such third party administrator shall be selected by the board based on specific criteria identified by the board, and shall include, experience, variety of investments, liquidity, fee structure, education, customer service and other factors identified by the board.

New Sec. 34. (a) The board may establish an account within the defined contribution plan for paying the plan’s administrative expenses.

(b) The board may:

(1) Assess fees on DC plan member accounts to pay the reasonable administrative costs of the plan; and

(2) negotiate with a vendor or vendors for vendor reimbursement of board administrative expenses for the plan.

(c) All fees assessed must be fully disclosed to members and treated as public information.

(d) Costs for the board to secure investment advice, recordkeeping, contract oversight, educational materials for members, performance evaluations and other appropriate information and services, are included as part of the administrative expenses of the plan.

New Sec. 35. The statutory provisions governing the defined contribution plan are subject to amendment by the legislature. The board has the power to amend the plan document, policies and procedures, consistent with the statutory provisions governing the defined contribution plan at the time of the amendment.

New Sec. 36. The board shall accept the rollover of contributions and the income on those contributions from another eligible retirement plan to the member’s rollover account only to the extent allowed under applicable federal law.

New Sec. 37 (a) A DC plan member’s mandatory contribution account includes the DC plan member’s contributions and the income on those contributions and is vested from the date that the employee becomes a member of the plan.

(b) A DC plan member's employer contribution account includes the employer's contributions and the income on those contributions and is vested only when the member has a total of seven years of participating service in the defined contribution plan.

(c) A DC plan member's rollover account includes the member's rollovers of contributions made pursuant to section 36, and amendments thereto, and income on those contributions and are vested from the date that the contribution is credited to the account.

(d) If the DC plan member's employer contribution account is not vested upon termination of plan membership, as provided in this section, the employer contributions and income are forfeited as provided in section 38, and amendments thereto.

New Sec. 38. (a) An active DC plan member shall contribute 6% of compensation to the defined contribution plan. These contributions shall be picked up by the employer via a salary reduction as provided in section 414(h)(2) of the federal internal revenue code.

(b) A DC plan member may not make voluntary contributions to the defined contribution plan.

(c) Subject to adjustment by the board as provided in section 39, and amendments thereto, an active DC plan member's employer shall contribute the following:

(1) To the active DC plan member's employer contribution account, an amount equal to:

(A) One percent of compensation for each member who has six months but less than one year of service;

(B) two percent of compensation for each member who has one but less than two years of service;

(C) three percent of compensation for each member who has two but less than three years of service; and

(D) four percent of compensation for each member who has three or more years of service;

(2) a percentage of compensation, determined by the board under section 39, and amendments thereto, to the defined benefit plan as the plan funding rate as described in section 39, and amendments thereto;

(3) a percentage of compensation, determined by the board, must be allocated to the administrative account established by section 34, and amendments thereto; and

(4) a percentage of compensation, determined by the board, must be allocated to the death and long-term disability plan under K.S.A. 74-4927, and amendments thereto.

(d) Forfeitures of employer contributions and investment income on the employer contributions may not be used to increase a DC plan member's retirement account. The board shall allocate the forfeitures under section 37, and amendments thereto, to meet the plan's administrative expenses, including startup expenses.

New Sec. 39. (a) The board shall periodically review the sufficiency of the plan funding rate and shall adjust the amount of contributions under section 38, and amendments thereto, as specified in this section. The board shall collect and maintain the data necessary to comply with this section. The plan funding rate set in section 38, and amendments thereto, must be adjusted as provided in this section and the plan document to actuarially fund the defined benefit plan's unfunded liabilities and the change in the normal cost contribution rate that is the result of the DC plan member's

participation in the defined contribution plan.

(b) If the board determines that the plan funding rate should be increased or decreased, the plan funding rate under section 38, and amendments thereto, must be increased or decreased accordingly.

New Sec. 40. (a) The investment alternatives under the defined contribution plan may be the same as the investment alternatives under the Kansas public employees deferred compensation plan.

(b) The board shall from time to time review the suitability and management of investment alternatives and may change the alternatives to be offered. The board shall notify affected DC plan members of potential changes before any changes become effective.

(c) The board shall establish a default investment option for any DC plan member who does not have an effective investment direction. The board may utilize a balanced fund as the default investment fund.

(d) Assets within each member's accounts must be invested as directed by the member. However, the non-vested portion of the DC plan member's employer contribution account shall be invested in the board's default investment fund.

New Sec. 41. Except as provided in section 45, and amendments thereto, any time after termination of service, a DC plan member or the DC plan member's beneficiary may terminate plan membership by filing a written application with the board and removing the DC plan member's vested account balance from the plan through any combination of the following payout options, each of which is subject to the provisions of the plan document and the federal internal revenue code and the applicable regulations of the internal revenue service:

(a) A direct rollover to an eligible retirement plan;

(b) a regular rollover to an eligible retirement plan;

(c) a lump-sum distribution of the DC plan member's vested account balance; or

(d) an optional form of distribution offered by the board under section 42, and amendments thereto.

New Sec. 42. (a) Subject to the provisions of the plan document, a DC plan member, after termination of service, may leave the DC plan member's vested account balance in the plan, and the DC plan member is eligible for a distribution as provided in this section.

(b) After termination of service and upon filing a written application with the board, a DC plan member may select any distribution option provided by the plan document.

(c) A DC plan member who is less than 70 ½ years of age who returns to service may not continue to receive a distribution under this section while actively employed in a covered position.

(d) The plan document shall provide that distributions must comply with the minimum distribution requirements established in the federal internal revenue code and applicable under K.S.A. 74-49,123, and amendments thereto.

(e) The plan document may specify minimum account balances for purposes of allowing benefit payment options and rollovers in accordance with federal law.

New Sec. 43. A DC plan member's beneficiary must be determined as provided in the defined benefit plan regulations. Upon filing a written application with the board after the death of a DC plan member, the DC plan member's beneficiary is entitled to

the DC plan member's vested account balance.

New Sec. 44. Before termination of service, a DC plan member may not receive a refund of any portion of the DC plan member's vested account balance.

New Sec. 45. (a) For the purposes of providing the "insured death benefit" and "insured disability benefit" as prescribed in K.S.A. 74-4927, and amendments thereto, the term "member" as used in K.S.A. 74-4927, and amendments thereto, shall include those members of the Kansas public employees retirement system's defined contribution plan as defined in section 31, and amendments thereto.

(b) Each participating employer shall pay to the Kansas public employees retirement system in such manner as the board of trustees shall prescribe each payroll period an amount sufficient to pay the employer's contribution to the group insurance reserve as provided in subsection (c)(4) of section 38, and amendments thereto.

(c) Except as otherwise provided, in the event that a DC plan member as defined in section 31, and amendments thereto, becomes eligible for and begins to receive the insured disability benefit prescribed in K.S.A. 74-4927, and amendments thereto, the member's participating employer shall continue to make the contributions on behalf of such individual to the retirement plan as required under subsection (c)(1) of section 38, and amendments thereto, and shall also contribute to the retirement plan an amount equal to the individual's contribution required under subsection (a) of section 38, and amendments thereto, if the DC plan member is permanently and totally disabled as defined in section 72(m) of the federal internal revenue code. Commencing on and after July 1, 2013, such contributions shall cease at the earlier of: (1) The date that the individual is no longer entitled to an insured disability benefit under K.S.A. 74-4927, and amendments thereto; or (2) the date that is five years after the date the individual becomes eligible for and begins to receive the insured disability benefit prescribed in K.S.A. 74-4927, and amendments thereto. For purposes of applying this subsection, compensation under section 38, and amendments thereto, means the individual's compensation at the time the individual became disabled as defined under the insured disability program prescribed in K.S.A. 74-4927, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, after the semicolon by inserting "enacting the Kansas public employees retirement system defined contribution act, terms, conditions, requirements, benefits and contributions; new member election;";

Also, rose and reported progress.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce and Economic Development** recommends **HB 2561** be passed.

Committee on **Commerce and Economic Development** recommends **SB 438** be amended on page 1, in line 9, after "within 20" by inserting "business"; in line 10, after "within 20" by inserting "business"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **SB 413** be amended on page 1, by striking all in lines 5 through 36;

By striking all in pages 2 through 12;

On page 13, by striking all in lines 1 through 20; following line 20, by inserting the following:

"New Section 1. (a) There is hereby established the workers compensation and

employment security boards nominating committee which shall be composed of seven members who are appointed by the governor. Each of the following shall select one member to serve on the nominating committee by giving written notice of the selection to the governor who shall appoint such representatives to the committee:

- (1) The Kansas secretary of labor;
- (2) the Kansas chamber of commerce;
- (3) the national federation of independent business;
- (4) the Kansas AFL-CIO;
- (5) the Kansas state council of the society for human resource management (KS SHRM);
- (6) the Kansas self-insurers association; and
- (7) the secretary of labor whose selection shall be selected from either an employee organization as defined in K.S.A. 75-4322, and amendments thereto, or a professional employees' organization as defined in K.S.A. 72-5413, and amendments thereto.

In the event the governor refuses to appoint a member selected by one of the organizations in this subsection, the organization may replace that selection with another, subject to the same appointment requirements.

(b) Members of the nominating committee shall serve a term of four years. Members may not serve more than two consecutive terms.

(c) In the event of a vacancy on the nominating committee occurring for any reason, the respective member whose position becomes vacant shall be replaced by the selecting organization by submitting written notice of the replacement selection to the governor within 30 days of such vacancy. The governor shall either appoint or reject the replacement selection as provided in this section.

(d) The committee shall meet as needed to provide the workers compensation and employment security board of review appointing authorities with nominees for appointments to the position of workers compensation administrative law judge or board member and employment security board of review. No action of the committee shall be effective unless approved by two-thirds of the committee.

(e) When notified of a vacancy on the employment security board of review, the committee shall convene and submit a list of three nominees to the governor for each vacancy on the board of review. The governor shall either accept and appoint a person nominated by the nominating committee to the board of review or reject the nomination and request the nominating committee to nominate another person for that position.

(f) When notified of a vacancy in the position of workers compensation administrative law judge or on the workers compensation review board or of the need to appoint a member pro tem to the workers compensation review board, the committee shall review all qualified applicants as submitted by the director of workers compensation to nominate a qualified person to fill the vacancy and submit that nomination to the secretary of labor. The secretary shall either accept and appoint the person nominated by the nominating committee to the position for which the nomination was made or reject the nomination and request the nominating committee to nominate another person for that position. Upon receipt of any such request for the nomination of another person, the nominating committee shall nominate another person for that position in the same manner.

Sec. 2. K.S.A. 2011 Supp. 44-551 is hereby amended to read as follows: 44-551.

(a) The duties of the assistant directors of workers compensation may include, but not

be limited to, acting in the capacity of an administrative law judge.

(b) Each administrative law judge shall be an attorney regularly admitted to practice law in Kansas. Such attorney shall have at least five years of experience as an attorney, ~~with at least one year of experience~~ practicing law in the area of workers compensation.

(c) Except as provided in subsection (g), the annual salary of each administrative law judge shall be an amount equal to 75% of the annual salary paid by the state to a district judge, other than a district judge designated as a chief judge. Administrative law judges shall devote full time to the duties of such office and shall not engage in the private practice of law during their term of office. No administrative law judge may receive additional compensation for official services performed by the administrative law judge. Each administrative law judge shall be reimbursed for expenses incurred in the performance of such official duties under the same circumstances and to the same extent as district judges are reimbursed for such expenses.

(d) Applications for administrative law judge positions shall be submitted to the director of workers compensation. The director shall determine if an applicant meets the qualifications for an administrative law judge as prescribed in subsection (b). Qualified applicants for a position of administrative law judge shall be submitted by the director to the workers compensation ~~administrative law judge nominating and review and employment security boards nominating~~ committee for consideration.

~~(e) There is hereby established the workers compensation administrative law judge nominating and review committee which shall be composed of two members appointed as follows: The Kansas AFL-CIO and the Kansas chamber of commerce and industry shall each select one representative to serve on the workers compensation administrative law judge nominating and review committee and shall each give written notice of such selection to the secretary who shall appoint such selected persons to the committee. In the event of a vacancy occurring for any reason on the workers compensation administrative law judge nominating and review committee, the vacating member shall be replaced by the organization which originally selected such member with written notice provided to the secretary within 30 days of such vacancy.~~

~~(f) (1) Upon being notified of any vacancy in the position of administrative law judge, the administrative law judge nominating and review committee shall consider all qualified applicants submitted by the director for the vacant position of administrative law judge and nominate a person qualified therefor. The administrative law judge nominating and review committee shall be required to reach unanimous agreement on any nomination to the position of administrative law judge. With respect to each person nominated, the secretary either shall accept and appoint the person nominated by the administrative law judge nominating and review committee to the position of administrative law judge for which the nomination was made or shall reject the nomination and request the administrative law judge nominating and review committee to nominate another person for that position. Upon receipt of any such request for the nomination of another person, the administrative law judge nominating and review committee shall nominate another person for that position in the same manner.~~

~~(2)~~(1) Each administrative law judge shall hold office for a term of four years and may be reappointed. Each administrative law judge shall continue to serve for the term of the appointment or until a successor is appointed. Successors to such administrative law judge positions shall be appointed for terms of four years.

~~(2)~~(2) If a vacancy should occur in the position of an administrative law judge during the term of an administrative law judge, the ~~administrative law judge nominating and review~~ workers compensation and employment security boards nominating committee shall nominate an individual from the qualified applicants submitted by the director to complete the remainder of the unexpired portion of the term.

~~(f)~~(f) Except as otherwise provided in this subsection, administrative law judges appointed on and after July 1, 2006, shall serve a term of office of four years. Administrative law judges hired before July 1, 2006, may continue as administrative law judges under the classified service under the Kansas civil service act at the salary provided under the civil service act or may elect to be appointed to a term and receive the annual salary equal to 75% of the salary prescribed for a district judge if the currently employed administrative law judge within 60 days of the effective date of this section notifies the director in writing that the administrative law judge elects to serve an appointed term of office rather than continuing in the classified service. The term of office for an administrative law judge who elects a term of office shall begin on the date the written election is received by the director and the first term of office for such person shall be for two, three or four years as specified by the secretary so that administrative law judges appointed under this subsection serve staggered terms. Thereafter, any such person if reappointed as an administrative law judge shall be appointed for a term of four years.

~~(g)~~(g) ~~Following the completion of a term, an administrative law judge who wishes to be considered for reappointment to such judge's position shall be deemed to have met the qualification requirements for appointment as administrative law judge and shall be considered for renomination by the workers compensation administrative law judge nominating and review committee~~ Following the completion of a term, an administrative law judge who wishes to be considered for reappointment to such judge's position shall be deemed to have met the qualification requirements for appointment as administrative law judge. If such administrative law judge wishes to be considered for renomination by the workers compensation and employment security boards nominating committee, such administrative law judge shall submit an application as provided in subsection (d).

~~(h)~~(h) (1) Administrative law judges shall have power to administer oaths, certify official acts, take depositions, issue subpoenas, compel the attendance of witnesses and the production of books, accounts, papers, documents and records to the same extent as is conferred on the district courts of this state, and may conduct an investigation, inquiry or hearing on all matters before the administrative law judges. All final orders, awards, modifications of awards, or preliminary awards under K.S.A. 44-534a, and amendments thereto, made by an administrative law judge shall be subject to review by the board upon written request of any interested party within 10 days. Intermediate Saturdays, Sundays and legal holidays shall be excluded in the time computation. Review by the board shall be a prerequisite to judicial review as provided for in K.S.A. 44-556, and amendments thereto. On any such review, the board shall have authority to grant or refuse compensation, or to increase or diminish any award of compensation or to remand any matter to the administrative law judge for further proceedings. The orders of the board under this subsection shall be issued within 30 days from the date arguments were presented by the parties.

(2) (A) If an administrative law judge has entered a preliminary award under

K.S.A. 44-534_a, and amendments thereto, a review by the board shall not be conducted under this section unless it is alleged that the administrative law judge exceeded the administrative law judge's jurisdiction in granting or denying the relief requested at the preliminary hearing. Such an appeal from a preliminary award may be heard and decided by a single member of the board. Members of the board shall hear such preliminary appeals on a rotating basis and the individual board member who decides the appeal shall sign each such decision. The orders of the board under this subsection shall be issued within 30 days from the date arguments were presented by the parties.

(B) If an order on review is not issued by the board within the applicable time period prescribed by subsection ~~(i)~~ ~~(+)~~ ~~(h)~~ ~~(l)~~, medical compensation and any disability compensation as provided in the award of the administrative law judge shall be paid commencing with the first day after such time period and shall continue to be paid until the order of the board is issued, except that no payments shall be made under this provision for any period before the first day after such time period. Nothing in this section shall be construed to limit or restrict any other remedies available to any party to a claim under any other statute.

(C) In any case in which the final award of an administrative law judge is appealed to the board for review under this section and in which the compensability is not an issue to be decided on review by the board, medical compensation shall be payable in accordance with the award of the administrative law judge and shall not be stayed pending such review. The employee may proceed under K.S.A. 44-510_k, and amendments thereto, and may have a hearing in accordance with that statute to enforce the provisions of this subsection.

~~(+)~~ ~~(i)~~ Each assistant director and each administrative law judge or special administrative law judge shall be allowed all reasonable and necessary expenses actually incurred while in the actual discharge of official duties in administering the workers compensation act, but such expenses shall be sworn to by the person incurring the same and be approved by the secretary.

~~(+)~~ ~~(j)~~ In case of emergency the director may appoint special local administrative law judges and assign to them the examination and hearing of any designated case or cases. Such special local administrative law judges shall be attorneys and admitted to practice law in the state of Kansas and shall, as to all cases assigned to them, exercise the same powers as provided by this section for the regular administrative law judges. Special local administrative law judges shall receive a fee commensurate with the services rendered as fixed by rules and regulations adopted by the director. The fees prescribed by this section prior to the effective date of this act shall be effective until different fees are fixed by such rules and regulations.

~~(+)~~ ~~(k)~~ All special local administrative law judge's fees and expenses, with the exception of settlement hearings, shall be paid from the workers compensation administration fee fund, as provided in K.S.A. 74-712_a, and amendments thereto. Where there are no available funds or where the special local administrative law judge conducted a settlement hearing, the fees shall be taxed as costs in each case heard by such special local administrative law judge and when collected shall be paid directly to such special local administrative law judge by the party charged with the payment of the same.

~~(+)~~ ~~(l)~~ Except as provided for judicial review under K.S.A. 44-556_a, and amendments thereto, the decisions and awards of the board shall be final.

Sec. 3. K.S.A. 2011 Supp. 44-555c is hereby amended to read as follows: 44-555c.

(a) There is hereby established the workers compensation board. The board shall have exclusive jurisdiction to review all decisions, findings, orders and awards of compensation of administrative law judges under the workers compensation act. The review by the board shall be upon questions of law and fact as presented and shown by a transcript of the evidence and the proceedings as presented, had and introduced before the administrative law judge. The board shall be within the division of workers compensation of the department of labor and all budgeting, personnel, purchasing and related management functions of the board shall be administered under the supervision and direction of the secretary of labor. The board shall consist of five members who shall be appointed by the secretary in accordance with this section and who shall each serve for a term of four years, except as provided for the first members appointed to the board under subsection (f).

(b) Each board member shall be an attorney regularly admitted to practice law in Kansas for a period of at least seven years with at least five years experience practicing law in the area of workers compensation and shall have engaged in the active practice of law during such period as a lawyer, judge of a court of record or any court in Kansas or a full-time teacher of law in an accredited law school, or any combination of such types of practice.

(c) Each board member shall receive an annual salary in an amount equal to the salary prescribed by law for a district judge, except that the member who is the chairperson of the workers compensation board shall receive an annual salary in an amount equal to the salary prescribed for a district judge designated as chief judge of a district court of Kansas. The board members shall devote full time to the duties of such office and shall not engage in the private practice of law during their term of office. No board member may receive additional compensation for official services performed by the board member. Each board member shall be reimbursed for expenses incurred in the performance of such official duties under the same circumstances and to the same extent as judges of the district court are reimbursed for such expenses.

(d) Applications for membership on the board shall be submitted to the director of workers compensation. The director shall determine if an applicant meets the qualifications for membership on the board prescribed in subsection (b). Qualified applicants for the board will be submitted by the director to the workers compensation board and employment security boards nominating committee for consideration.

~~(e) There is hereby established the workers compensation board nominating committee which shall be composed of two members appointed as follows: The Kansas AFL-CIO and the Kansas chamber of commerce and industry shall each select one representative to serve on the workers compensation board nominating committee and shall give written notice of the selection to the secretary who shall appoint such representatives to the committee. In the event of a vacancy occurring for any reason on the nominating committee, the respective member shall be replaced by the appointing organization with written notice of the appointment to the secretary of labor within 30 days of such vacancy.~~

~~(f) (1) Upon being notified of any vacancy on the board or of the need to appoint a member pro tem under subsection (i), the nominating committee shall consider all qualified applicants submitted by the director for the vacant position on the board or the member pro tem position and nominate a person qualified therefor. The nominating~~

committee shall be required to reach unanimous agreement on any nomination to the board. With respect to each person nominated, the secretary either shall accept and appoint the person nominated by the nominating committee to the position on the board for which the nomination was made or shall reject the nomination and request the nominating committee to nominate another person for that position. Upon receipt of any such request for the nomination of another person, the nominating committee shall nominate another person for that position in the same manner.

(2) The first members of the board established by this section are hereby appointed as follows: Each person who was a member of the workers compensation board which was in existence on January 12, 1995, is hereby appointed, effective January 13, 1995, as a member of the board established by this section. The term of office of each person so appointed as a member of the board established by this section is for the period equal to the remainder of the term of office such person had as of January 12, 1995, as a member of the workers compensation board which was in existence on January 12, 1995.

(3) Each member of the board shall hold office for the term of the appointment and until the successor shall have been appointed. Successors to such members shall be appointed for terms of four years.

(4) If a vacancy should occur on the board during the term of a member, the nominating committee shall nominate an individual from the qualified applicants submitted by the director to complete the remainder of the unexpired portion of the term. With respect to each person so nominated, the secretary either shall accept and appoint the person nominated to the board or shall reject the nomination and request the nominating committee to nominate another person for the position. Upon receipt of any such request for the nomination of another person, the nominating committee shall nominate another person for the position in the same manner.

(~~e~~)(f) Following the completion of a term, board members who wish to be considered for reappointment to the board shall be deemed to have met the qualification requirements for selection to the board and shall be considered for renomination by the workers compensation board and employment security boards nominating committee.

(~~h~~)(g) The members of the board shall annually elect one member to serve as chairperson.

(~~i~~)(h) If illness or other temporary disability of a member of the board will not permit the member to serve during a case or in any case in which a member of the board must be excused from serving because of a conflict or is otherwise disqualified with regard to such case, the director shall notify the workers compensation and employment security boards nominating committee of the need to appoint a member pro tem. Upon receipt of such notice, the committee shall act as soon as possible and nominate a qualified person to serve as member pro tem in such case in accordance with subsection (~~f~~). Each member pro tem shall receive compensation at the same rate as a member of the board receives, prorated for the hours of actual service as a member pro tem and shall receive expenses under the same circumstances and to the same extent as a member of the board receives. Each member pro tem shall have all the powers, duties and functions of a member of the board with regard to the case.

(~~j~~)(i) The board shall maintain principal offices in Topeka, Kansas, and the board may conduct hearings at a courthouse of any county in Kansas or at another location specified by the board. The secretary of labor shall provide a courtroom and other

suitable quarters in Topeka, Kansas, for the use of the board and its staff. When the board conducts hearings at any location other than in Topeka, Kansas, the director shall make suitable arrangements for such hearings. Subject to the provisions of appropriation acts, the director shall provide such supplies and equipment and shall appoint such support personnel as may be necessary for the board to fulfill the duties imposed by this act, subject to approval by the secretary.

~~(k)~~(j) For purposes of hearing cases, the board may sit together or in panels of ~~two~~ three members or more, designated by the chairperson of the board, except that an appeal from a preliminary award entered under K.S.A. 44-534a, and amendments thereto, may be heard by a panel of one member designated by the chairperson. ~~All members of the board shall determine each matter before the board.~~ All decisions, reviews and determinations by the board shall be approved in writing by ~~at least three board members~~ a majority comprised of not less than three of the members hearing the case. Whenever the board enters a final order in any proceeding, the board shall make written findings of fact and conclusions of law forming the basis of the board's determination and final order. The findings of fact and conclusions of law of the board shall be made a part of the final order. The board shall mail a copy of the final order of the board to all parties to the proceeding within three days following the issuance of the final order.

Sec. 4. K.S.A. 2011 Supp. 44-709 is hereby amended to read as follows: 44-709.

(a) *Filing.* Claims for benefits shall be made in accordance with rules and regulations adopted by the secretary. The secretary shall furnish a copy of such rules and regulations to any individual requesting them. Each employer shall post and maintain printed statements furnished by the secretary without cost to the employer in places readily accessible to individuals in the service of the employer.

(b) *Determination.* (1) Except as otherwise provided in this subsection (b)(1), a representative designated by the secretary, and hereinafter referred to as an examiner, shall promptly examine the claim and, on the basis of the facts found by the examiner, shall determine whether or not the claim is valid. If the examiner determines that the claim is valid, the examiner shall determine the first day of the benefit year, the weekly benefit amount and the total amount of benefits payable with respect to the benefit year. If the claim is determined to be valid, the examiner shall send a notice to the last employing unit who shall respond within 10 days by providing the examiner all requested information including all information required for a decision under K.S.A. 44-706, and amendments thereto. The information may be submitted by the employing unit in person at an employment office of the secretary or by mail, by telefacsimile machine or by electronic mail. If the required information is not submitted or postmarked within a response time limit of 10 days after the examiner's notice was sent, the employing unit shall be deemed to have waived its standing as a party to the proceedings arising from the claim and shall be barred from protesting any subsequent decisions about the claim by the secretary, a referee, the board of review or any court, except that the employing unit's response time limit may be waived or extended by the examiner or upon appeal, if timely response was impossible due to excusable neglect. In any case in which the payment or denial of benefits will be determined by the provisions of subsection (d) of K.S.A. 44-706, and amendments thereto, the examiner shall promptly transmit the claim to a special examiner designated by the secretary to make a determination on the claim after the investigation as the special examiner deems

necessary. The parties shall be promptly notified of the special examiner's decision and any party aggrieved by the decision may appeal to the referee as provided in subsection (c). The claimant and the claimant's most recent employing unit shall be promptly notified of the examiner's or special examiner's decision.

(2) The examiner may for good cause reconsider the examiner's decision and shall promptly notify the claimant and the most recent employing unit of the claimant, that the decision of the examiner is to be reconsidered, except that no reconsideration shall be made after the termination of the benefit year.

(3) Notwithstanding the provisions of any other statute, a decision of an examiner or special examiner shall be final unless the claimant or the most recent employing unit of the claimant files an appeal from the decision as provided in subsection (c). The appeal must be filed within 16 calendar days after the mailing of notice to the last known addresses of the claimant and employing unit or, if notice is not by mail, within 16 calendar days after the delivery of the notice to the parties.

(c) *Appeals.* Unless the appeal is withdrawn, a referee, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the examiner or special examiner. The parties shall be duly notified of the referee's decision, together with the reasons for the decision. The decision shall be final, notwithstanding the provisions of any other statute, unless a further appeal to the board of review is filed within 16 calendar days after the mailing of the decision to the parties' last known addresses or, if notice is not by mail, within 16 calendar days after the delivery of the decision.

(d) *Referees.* The secretary shall appoint, in accordance with subsection (c) of K.S.A. 44-714, and amendments thereto, one or more referees to hear and decide disputed claims.

(e) *Time, computation and extension.* In computing the period of time for an employing unit response or for appeals under this section from the examiner's or the special examiner's determination or from the referee's decision, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or legal holiday.

(f) *Board of review.* (1) There is hereby created a board of review, hereinafter referred to as the board, consisting of three members. Except as provided by paragraph (2) of this subsection, each member of the board shall be appointed for a term of four years as provided in this subsection. ~~Two members shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b and amendments thereto. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the board, whose appointment is subject to confirmation by the senate, shall exercise any power, duty or function as a member until confirmed by the senate. One member shall be representative of employees, one member shall be representative of employers, and one member shall be representative of the public in general. The appointment of the employee representative member of the board shall be made by the governor from a list of three nominations submitted by the Kansas A.F.L.-C.I.O. The appointment of the employer representative member of the board shall be made by the governor from a list of three nominations submitted by the Kansas chamber of commerce and industry. The appointment of the public representative member of the~~

~~board, who, because of vocation, occupation or affiliation may be deemed not to be representative of either management or labor, shall be made by the members appointed by the governor as employee representative and employer representative. If the two members do not agree and fail to make the appointment of the public member within 30 days after the expiration of the public member's term of office, the governor shall appoint the representative of the public. Each member shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the board, whose appointment is subject to confirmation by the senate, shall exercise any power, duty or function as a member until confirmed by the senate. The appointment of each member of the board shall be made by the governor from a list of three nominations submitted by the workers compensation and employment security boards nominations committee. Not more than two members of the board shall belong to the same political party. No board member shall serve more than two consecutive terms.~~

(2) The terms of members who are serving on the board on the effective date of this act shall expire on March 15, of the year in which such member's term would have expired under the provisions of this section prior to amendment by this act. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and confirmed.

(3) Each member of the board shall serve until a successor has been appointed and confirmed. Any vacancy in the membership of the board occurring prior to expiration of a term shall be filled by appointment for the unexpired term in the same manner as provided for original appointment of the member. ~~Each member shall be appointed as representative of the same special interest group represented by the predecessor of the member.~~

(4) Each member of the board shall be entitled to receive as compensation for the member's services at the rate of \$15,000 per year, together with the member's travel and other necessary expenses actually incurred in the performance of the member's official duties in accordance with rules and regulations adopted by the secretary. Members' compensation and expenses shall be paid from the employment security administration fund.

(5) The board shall organize annually by the election of a chairperson from among its members. The chairperson shall serve in that capacity for a term of one year and until a successor is elected. The board shall meet on the first Monday of each month or on the call of the chairperson or any two members of the board at the place designated. The secretary of labor shall appoint an executive secretary of the board and the executive secretary shall attend the meetings of the board.

(6) The board, on its own motion, may affirm, modify or set aside any decision of a referee on the basis of the evidence previously submitted in the case; may direct the taking of additional evidence; or may permit any of the parties to initiate further appeal before it. The board shall permit such further appeal by any of the parties interested in a decision of a referee which overrules or modifies the decision of an examiner. The board may remove to itself the proceedings on any claim pending before a referee. Any proceedings so removed to the board shall be heard in accordance with the requirements of subsection (c). The board shall promptly notify the interested parties of its findings and decision.

(7) Two members of the board shall constitute a quorum and no action of the board shall be valid unless it has the concurrence of at least two members. A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(g) *Procedure.* The manner in which disputed claims are presented, the reports on claims required from the claimant and from employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board for determining the rights of the parties, whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings and decisions in connection with a disputed claim. All testimony at any hearing upon a disputed claim shall be recorded, but need not be transcribed unless the disputed claim is further appealed. In the performance of its official duties, the board shall have access to all of the records which pertain to the disputed claim and are in the custody of the secretary of labor and shall receive the assistance of the secretary upon request.

(h) *Witness fees.* Witnesses subpoenaed pursuant to this section shall be allowed fees and necessary travel expenses at rates fixed by the board. Such fees and expenses shall be deemed a part of the expense of administering this act.

(i) *Court review.* Any action of the board is subject to review in accordance with the Kansas judicial review act. No bond shall be required for commencing an action for such review. In the absence of an action for such review, the action of the board shall become final 16 calendar days after the date of the mailing of the decision. In addition to those persons having standing pursuant to K.S.A. 77-611, and amendments thereto, the examiner shall have standing to obtain judicial review of an action of the board. The review proceeding, and the questions of law certified, shall be heard in a summary manner and shall be given precedence over all other civil cases except cases arising under the workers compensation act.

(j) Any finding of fact or law, judgment, determination, conclusion or final order made by the board of review or any examiner, special examiner, referee or other person with authority to make findings of fact or law pursuant to the employment security law is not admissible or binding in any separate or subsequent action or proceeding, between a person and a present or previous employer brought before an arbitrator, court or judge of the state or the United States, regardless of whether the prior action was between the same or related parties or involved the same facts.

(k) In any proceeding or hearing conducted under this section, a party to the proceeding or hearing may appear before a referee or the board either personally or by means of a designated representative to present evidence and to state the position of the party. Hearings may be conducted in person, by telephone or other means of electronic communication. The hearing shall be conducted by telephone or other means of electronic communication if none of the parties requests an in-person hearing. If only one party requests an in-person hearing, the referee shall have the discretion of requiring all parties to appear in person or allow the party not requesting an in-person hearing to appear by telephone or other means of electronic communication. The notice of hearing shall include notice to the parties of their right to request an in-person hearing and instructions on how to make the request.

Sec. 5. K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 are hereby repealed."
And by renumbering sections accordingly;

Also on page 13, in line 22, by striking "January 1, 2014, and";

On page 1, in the title, in line 1 by striking all after "ACT"; in line 2, by striking all before the period and inserting " creating the workers compensation and employment security boards nominating committee; amending K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections"; and the bill be passed as amended.

Committee on **Commerce and Economic Development** recommends **SB 416** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 416," as follows:

"HOUSE Substitute for SENATE BILL NO. 416

By Committee on Commerce and Economic Development

"AN ACT concerning powers and duties of the secretary of labor; pertaining to the state workplace health and safety program; pertaining to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; pertaining to the employment security law; pertaining to workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-575, 44-5,104, 44-634, 44-636, 44-704, 44-710a, 44-710b and 44-714 and replacing the existing sections. Also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628, and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631."; and the substitute bill be passed.

(H Sub for SB 416 was thereupon introduced and read by title.)

Committee on **Commerce and Economic Development** recommends **SB 301** be amended on page 2, in line 1, after "of" by inserting "not more than"; and the bill be passed as amended.

Committee on **Education** recommends **SB 260** be amended on page 2, in line 25, before "except" by inserting "subject to the provisions of subsection (f) and";

On page 4, following line 25, by inserting:

"(f) (1) In school year 2012-2013 and in each school year thereafter, the state board of education shall determine the minimum and maximum amount of state aid that a school district may receive under paragraph (4) of subsection (b) for the current school year as follows:

(A) Determine the total amount of moneys appropriated as state aid for the provision of special education and related services to all school districts for the current school year;

(B) subtract the amount of moneys paid to all school districts under paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983 and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current school year;

(C) divide the remainder obtained under (B) by the total full-time equivalent enrollment of all school districts in the current school year;

(2) (A) multiply the quotient obtained under (1)(C) by the sum of: (i) The full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts in the current school year; and (ii) the number of exceptional children under the age of four years receiving special education and related services provided by local education agencies in Kansas in the current school year multiplied by .5;

(B) multiply the product obtained under (2)(A) by .75. The product is the minimum amount of state aid the district may receive under paragraph (4) of subsection (b) for the

current school year;

(C) multiply the quotient obtained under (2)(A) by 1.50. The product is the maximum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year.

(3) If the amount determined under paragraph (4) of subsection (b) is less than the product obtained under (2)(B), the district shall receive state aid in an amount equal to the product obtained under (2)(B), plus any amount determined under paragraph (5) of this subsection.

(4) If the amount determined under paragraph (4) of subsection (b), plus any amount determined under paragraph (5) of this subsection, is greater than the product obtained under (2)(C), the district shall receive state aid in an amount equal to the product obtained under (2)(C). The balance of state aid remaining after determining the amount of state aid payable to districts under this paragraph shall be reallocated to districts as provided by paragraph (5) of this subsection.

(5) The balance of state aid remaining after determining the amount of state aid payable to districts under paragraph (4) of this subsection shall be reallocated to districts which have not received state aid in an amount equal to the product obtained under (2)(B). Such state aid shall be reallocated to such districts in the same manner as the original allocation. If the balance is insufficient to pay each such district the minimum amount specified in this subsection, the state board shall prorate the balance among such districts.

(6) The provisions of this subsection (f) shall expire on June 30, 2014."; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 79** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 79," as follows:

"HOUSE Substitute for SENATE BILL NO. 79

By Committee on Judiciary

"AN ACT concerning the protection of rights and privileges granted under the United States or Kansas constitutions."; and the substitute bill be passed.

(**H Sub for SB 79** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **Sub SB 283** be amended on page 2, in line 6, by striking "\$15" and inserting "\$10; in line 8, after "(b)" by inserting "Subject to subsection (e)."; in line 20, after "made" by inserting "or timely return is not made"; in line 22, by striking "alias"; in line 23, by striking "processes as required to effect service and the return of"; in line 24 by striking "service" and inserting "processes that may be required to effect service and the timely return of the failed service. However, if service is attempted and return is made showing no service because the person to be served cannot be served at that address or there is no such address, the fee in subsection (a) shall be charged for an alias summons at the same address"; in line 37, by striking "alias"; in line 38, by striking "summons,"; also in line 38, by striking ", notice or any other paper" and inserting "or notice"; in line 39, after "clerk" by inserting "or court"; and the bill be passed as amended.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **HB 2442** from the Calendar under the heading General Orders and rereferral to Committee on Appropriations.

Also, the withdrawal of **HB 2686** from Committee on Health and Human Services

and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **SB 102** from Committee on Appropriations and rereferral to Committee on Elections.

On motion of Rep. Siegfroid, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the Chair.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 145** from Committee on Appropriations and rereferral to Committee on Elections.

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Kinzer in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kinzer, Committee of the Whole report, as follows, was adopted:

Recommended that discussion resume on **H Sub for SB 259** (see pages 2150-2162, Morning Session).

On motion of Rep. Grant to amend H Sub for SB 259, Rep. Grange requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. Grant challenged the ruling, the question being "Shall the Rules Chair be sustained?"

The Rules Chair was sustained and the amendment by Rep. Grant was ruled not germane.

Also, on motion of Rep. Worley to amend **H Sub for SB 259**, the motion did not prevail. Also, on further motion of Rep. Worley to amend, the motion was withdrawn. Also, on motion of Rep. Tyson to amend, the motion did not prevail; and **H Sub for SB 259** be passed as amended.

Committee report to **HB 2718** be adopted; also, on motion of Rep. Aurand be amended on page 1, in line 24, by striking "3%" and inserting "2%";

Also, on motion of Rep. Otto to amend **HB 2718**, the motion did not prevail. Also, on motion of Rep. O'Hara to amend, the motion did not prevail.

Also,, roll call was demanded on the motion to recommend **HB 2718** for passage.

On roll call, the vote was: Yeas 53; Nays 66; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Bethell, Bollier, Brown, Bruchman, Brunk, Burgess, Carlson, Colloton, DeGraaf, Denning, Garber, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hildabrand, Hill, C. Holmes, Howell, Huebert, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McLeland, Meigs, Montgomery, Moxley, O'Hara, O'Neal, Powell, Prescott, Rhoades, Rubin, Schwab, Schwartz, Siegfroid, Slattery, Smith, Spalding, Suellentrop, Vickrey, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Billinger, Boman, Bowers, Brookens, Burroughs, Calloway, Carlin,

Cassidy, Collins, Crum, Davis, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grant, Henderson, Henry, Hineman, Hoffman, M. Holmes, Johnson, Kelley, Kelly, Knox, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, O'Brien, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Ryckman, Scapa, Schroeder, Sloan, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hermanson, LeDoux, Mesa, Peterson, Seiwert, Shultz.

The motion to recommend **HB 2718** favorably for passage did not prevail.

Committee report recommending a substitute bill to **Sub HB 2709** be adopted; also, on motion of Rep. Hoffman be amended on page 2, by striking all in lines 24 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 9;

On page 5, in line 37, before "bright" by inserting "purple or"; in line 38, after the period by inserting "All persons posting and under this subsection shall use bright orange paint exclusively on and after July 1, 2015.";

On page 8, in line 27, by striking "21-5810,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "21-5810,";

Also, on motion of Rep. Seiwert, **Sub HB 2709** be amended on page 4, following line 9 by inserting:

"(d) Nothing in this section shall preclude a landowner, tenant or employee thereof from shooting from a public road or right-of-way with the intent to protect such landowner or tenant's agricultural activity on such landowner or tenant's farmland from damage caused by wildlife grazing. As used in this section the terms "agricultural activity" and "farmland" have the same meaning as defined in K.S.A. 2-3203, and amendments thereto.";

Also, on motion of Rep. Peck, **Sub HB 2709** be amended on page 5, in line 17, by striking "the lifetime of the convicted"; in line 18, by striking "person, or any other period of time," and inserting "a period of up to 20 years";

Also, on motion of Rep. Moxley to amend **Sub HB 2709**, the motion did not prevail.

Also, on motion of Rep. Schwartz, **Sub HB 2709** be amended on page 1, following line 6, by inserting:

"New Section 1. Nothing in the provisions of K.S.A. 58-3201 *et seq.*, and amendments thereto, shall be construed as the granting of an easement over such land by the owner thereof, nor as the granting of an easement over such land by adverse possession.";

And by renumbering sections accordingly;

Also on page 1, in line 7, before "K.S.A." by inserting "On and after January 1, 2013,";

On page 2, in line 24, following "Sec. 2." by inserting "On and after January 1, 2013,";

On page 4, in line 10, following "Sec. 3." by inserting "On after January 1, 2013,";

On page 5, in line 28, following "Sec. 4." by inserting "On and after January 1, 2013,";

On page 6, in line 14, following "Sec. 5." by inserting "On and after January 1, 2013,";

On page 8, in line 27, following "Sec. 6." by inserting "On and after January 1, 2013,"; in line 30, by striking "January 1, 2013, and";

On page 1, in the title, in line 1, after "concerning" by inserting "recreational uses of land; relating to"; and **Sub. HB 2709** be passed as amended.

Committee report to **HB 2425** be adopted; also, on motion of Rep. Swanson be amended on page 6, following line 17, by inserting:

"Sec. 5. K.S.A. 25-904 is hereby amended to read as follows: 25-904. (a) Every candidate for election to any city of the second and third class, unified school district, community college or township office subject to this act who intends to expend or have expended on such person's behalf an aggregate amount or value of less than ~~\$500~~ \$1,000, exclusive of such candidate's filing fee, and who intends to receive or have received on such person's behalf contributions in an aggregate amount or value of less than ~~\$500~~ \$1,000 in each the primary and the general election shall file, not later than the ninth day preceding the primary election, an affidavit of such intent with the county election officer of the county of residence of the candidate. No report required by subsection (b) shall be required to be filed by or for such candidate.

(b) Except as provided in subsection (a), it shall be the duty of every candidate for nomination or for election to any city of the second and third class, unified school district, community college or township office subject to this act, within 30 days after each primary, general or special election, to file with the county election officer an itemized statement under oath stating the name and address of each person who has made any contribution in excess of \$50 during the election period together with the amount and date of such contributions and an itemized statement of all expenditures made by such candidate or obligations contracted or incurred by such candidate in connection with each primary, general or special election.

(c) No candidate which is subject to the provisions of the campaign finance act (K.S.A. 25-4142 *et seq.*, and amendments thereto) shall be required to file any report required by this section.

(d) Any candidate who has signed an affidavit pursuant to subsection (a) and who incurs expenses in excess of or receives contributions in excess of ~~\$500~~ \$1,000, exclusive of such candidate's filing fee for either the primary or the general election, shall file the report required by subsection (b).";

And by renumbering sections accordingly;

Also on page 6, in line 18, after "25-901" by inserting ", 25-904";

On page 1, in the title, in line 2, after "25-901" by inserting ", 25-904";

Also, on motion of Rep. Howell, **HB 2425** be amended on page 6, following line 17, by inserting:

"New Sec. 5. (a) A county election officer may request the preparation of a ballot language statement for the purposes of explaining the language of a ballot question of any municipality as defined by K.S.A. 75-6102, and amendments thereto.

(1) If the ballot question language was derived from a petition submitted to the office of the county attorney, district attorney or county counselor pursuant to K.S.A. 25-3601, and amendments thereto, such county election officer shall request the office of the county attorney, district attorney or county attorney, as applicable, to prepare the ballot language statement in compliance with the requirements of subsection (a)(3).

(2) If the ballot question language did not derive from a petition submitted to the office of the county attorney, district attorney or county counselor pursuant to K.S.A. 25-3601, and amendments thereto, such county election officer shall request the office of secretary of state to prepare the ballot language statement in compliance with the requirements of subsection (a)(3).

(3) A ballot language statement shall fairly and accurately explain what a vote for and what a vote against the measure represents. Such ballot language statements shall be true and impartial statements of the effect of a vote for and against the measure in language neither intentionally argumentative nor likely to create prejudice for or against the proposed measure. A ballot language statement shall be prepared and transmitted in good faith and without malice.

(b) (1) Within 15 days of a request by a county election officer to prepare a ballot language statement pursuant to subsection (a)(1), the office of the county attorney, district attorney or county counselor, as applicable, shall prepare and forward such ballot language statement to the office of secretary of state for approval by the secretary of state or the secretary of state's designee that such ballot language statement complies with the requirements of subsection (a)(3). Within five days following receipt of the ballot language statement, the office of secretary of state shall furnish the county election officer the ballot language statement as approved by the office of secretary of state as in compliance with the requirements of subsection (a)(3).

(b) (2) Within 15 days of a request by a county election officer to prepare a ballot language statement pursuant to subsection (a)(2), the secretary of state or the secretary's designee shall prepare and forward such ballot language statement to the office of the attorney general for approval by the attorney general, or any assistant attorney general, that such ballot language statement complies with the requirements of subsection (a)(3). Within five days following receipt of the ballot language statement, the office of the attorney general shall furnish the county election officer the ballot language statement as approved by the office of the attorney general as in compliance with the requirements of subsection (a)(3).

(c) A ballot language statement prepared under this section shall be:

(1) Posted in each polling place, but shall not be placed on the ballot;

(2) provided to registered voters voting by advance ballot. Such ballot language statement shall not be placed on the ballot when provided to a registered voter voting by advance ballot; and

(3) made available for public inspection in the office of the county election officer. A ballot language statement prepared under this section may be posted on the official website of the county.

(d) There shall be no cause of action at law or in equity challenging the validity of the form of a ballot language statement prepared under this section. There shall be no liability on the part of and no cause of action of any nature shall arise against the attorney general, any assistant attorney general, the secretary of state, the secretary of state's employees, the county election officer, the county attorney, the district attorney or the county counselor as a result of the preparation of a ballot language statement under this section. The preparation of a ballot language statement shall not form any basis for an election contest or result in the waiver of any immunity by the state or any of its subdivisions.";

And by renumbering sections accordingly;

Also on page 6, in line 21, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "question submitted"; also in line 2, after "elections" by inserting "and campaign finance"; and **HB 2425** be passed as amended.

Sub SB 282 be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2442**, be amended as recommended by the House Committee on Appropriations as reported in the Journal of the House on February 14, 2012, and the bill, as printed with amendments by House Committee, be further amended on page 7, in line 16, after the semicolon by inserting "and"; in line 19, by striking "and"; by striking all in lines 20 through 22; and the bill be passed as amended.

Committee on **Appropriations** recommends **SB 40** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 40," as follows:

"HOUSE Substitute for SENATE BILL NO. 40

By Committee on Appropriations

"AN ACT concerning the Kansas bioscience authority; amending K.S.A. 2011 Supp. 74-99b04, 74-99b08 and 74-99b17 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 40** was thereupon introduced and read by title.)

Committee on **Education** recommends **Substitute for SB 393** be amended on page 1, in line 6, after "board" by inserting "of education"; in line 10, after "board" by inserting "of education"; in line 11, after "board" by inserting "of education"; in line 19, after "The" by inserting "state"; also in line 19, by striking "a" and inserting "the"; in line 20, following "program." by inserting:

"(b) (1)";

Also on page 1, in line 21, after the first "the" by inserting "career technical education incentive"; also in line 21, after the second "the" by inserting "state"; in line 24, after "occupation" by inserting "that has been"; in line 25, after "labor" by inserting ", in consultation with the state board of regents and the state board of education,,"; also in line 25, after "employees" by inserting "at the time the pupil entered the career technical education course or program in the school district"; in line 28, after "the" by inserting "state"; in line 29, by striking "may" and inserting "shall"; also in line 29, by striking all after "for" and inserting "the expenses incurred by the board of education of the school district under subsection (b)(2), and any moneys remaining after distribution in accordance with subsection (b)(2) may be expended as determined by the board of education of a school district towards"; in line 30, by striking "as determined by the"; in line 31, by striking "board of education of the school district"; following line 31, by inserting:

"(2) (A) Except as provided by subsection (b)(2)(B), upon application by a pupil who has not attained a high school diploma and is currently or was previously enrolled in a career technical education course or program in the school district, the board of education of each school district shall pay the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program which such pupil is currently or was previously enrolled as

determined by the board of education.

(B) No board of education shall be required to pay for three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a pupil if such pupil fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(3) The state board of education shall certify to the state board of regents and the director of accounts and reports the amounts due to each school district pursuant to this subsection. Such certification, and the amount payable, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each school district entitled to payment of such award amount, pursuant to vouchers approved by the state board of regents. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the school district.

(c) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to a community college, technical college or institute of technology who has at least one secondary student who is currently or was previously admitted to a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and such secondary student is regularly enrolled in and attending a private secondary school. The purpose of such award is to reimburse such community college, technical college or institute of technology for the costs of paying for an industry-recognized credential assessment in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the secondary student was admitted into such career technical education course or program.

(2) (A) Except as provided by subsection (c)(2)(B), upon application by a secondary student who is currently or was previously enrolled in a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and is regularly enrolled in and attending a private secondary school, the governing body of the community college, technical college or the institute of technology which admitted such secondary student shall pay the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program in which such secondary student is currently or was previously enrolled as determined by such governing body of a community college, technical college or institute of technology.

(B) No governing body of a community college, technical college or institute of technology shall be required to pay for three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a secondary student if such secondary student fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(3) Each governing body of a community college, technical college or institute of technology which has made payments of the costs specified in subsection (c)(2) may file an application with the state board of regents for state aid and shall certify to the state board of regents the amount of such payments. The application and certification shall be on a form prescribed and furnished by the state board of regents, shall contain

such information as the state board of regents shall require and shall be filed at the time specified by the state board of regents.

(4) In each school year, each governing body of a community college, technical college or institute of technology is entitled to receive from appropriations for the career technical education incentive program an amount which is equal to the amount certified to the state board of regents in accordance with the provisions of subsection (c)(3). The state board of regents shall certify to the director of accounts and reports the amount due each governing body of a community college, technical college or institute of technology. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each governing body of a community college, technical college or institute of technology entitled to payment under this subsection upon vouchers approved by the state board of regents.

(5) Moneys received by a state board of regents under this subsection shall be deposited in the postsecondary technical education fund of each community college and at Washburn university for the Washburn institute of technology or the general operating fund in the technical college in accordance with K.S.A. 2011 Supp. 71-1808, and amendments thereto, and shall be considered reimbursements to the community college, technical college or institute of technology.";

Also on page 1, in line 33, after "labor" by inserting ", the president of the state board of regents"; also in line 33, after "provide" by inserting "the state board of regents and"; in line 35, after "employees." by inserting "If the occupations identified in such list are not substantially the same as those occupations identified in the list from the prior year, reasonable notice of such changes shall be provided to school districts, community colleges, technical colleges and the institute of technology."; `by striking all in line 36;

On page 2, by striking all in lines 1 through 8;

And by redesignating subsections accordingly;

Also on page 2, in line 9, after the first "The" by inserting "state"; also in line 9, after "education" by inserting ", jointly,"; in line 16, after "the" by inserting "state"; in line 20, after the first "the" by inserting "state"; also in line 20, after the second "the" by inserting "state"; in line 28, after the first "the" by inserting "state"; in line 33, after "The" by inserting "state";

On page 7, in line 40, after "(A)" by inserting:

""Community college" means any community college established in accordance with chapter 71 of the Kansas Statutes Annotated, and amendments thereto.

(B)";

On page 8, following line 2, by inserting:

(C) "Institute of technology" means the institute of technology at Washburn university.

(D) "Secondary student" means a pupil who: (i) Has not attained a high school diploma or a general educational development (GED) credential; and (ii) is regularly enrolled in and attending a public or private secondary school.

(E) "Technical college" means a technical college designated pursuant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4477 or 72-4477a, and amendments thereto.";

And by redesignating subparagraphs accordingly;

On page 9, following line 6, by inserting:

"Sec. 8. K.S.A. 2011 Supp. 72-6413 is hereby amended to read as follows: 72-6413. (a) (1) In school year 2012-2013, the program weighting of each district shall be

determined by the state board as follows:

~~(1)(A)~~ Compute full time equivalent enrollment in programs of bilingual education and multiply the computed enrollment by .395;

~~(2)(B)~~ compute full time equivalent enrollment in approved vocational education programs and multiply the computed enrollment by 0.5;

~~(3)(C)~~ add the products obtained under ~~(1) subparagraphs (A)~~ and ~~(2)(B)~~. The sum is the program weighting of the district.

(2) In school year 2013-2014 and each school year thereafter, the program weighting of each district shall be determined by the state board as follows: Compute the full time equivalent enrollment in programs of bilingual education and multiply the computed enrollment by .395. The result is the program weighting of the district.

(b) A school district may expend amounts received from the bilingual weighting to pay the cost of providing at-risk and preschool-aged at-risk education programs and services.";

And by renumbering sections accordingly;

Also on page 9, in line 7, after "72-4419" by inserting " and K.S.A. 2011 Supp. 72-6413";

On page 1, in the title, in line 3, after "71-201" by inserting "and 72-6413"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 74** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 74," as follows:

"HOUSE Substitute for SENATE BILL NO. 74

By Committee on Judiciary

"AN ACT concerning civil procedure; relating to social and rehabilitation services; amending K.S.A. 60-1501 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 74** was thereupon introduced and read by title.)

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Colloton, the House nonconcurrent in Senate amendments to **Sub HB 2427** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

MESSAGE FROM THE SENATE

The Senate nonconcur in House amendments to **H Sub for SB 294**, requests a conference and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 303**, requests a conference and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 334**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

REPORT ON ENROLLED BILLS

HB 2459 reported correctly enrolled, properly signed and presented to the Governor on March 19, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6015 reported correctly enrolled and properly signed on March 19, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Tuesday, March 20, 2012.

Journal of the House

FORTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 20, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Present later: Rep. Kelley.

Rep. LeDoux was excused later in the day on verified illness.

Rep. Cassidy was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Phillip Rhoades, pastor, Garnett Church of the Nazarene, and guest of Rep. Feuerborn:

As we pray, please remember the family of Rep. Ward Cassidy, who lost his brother-in-law.

Father, we bless Your Holy name this morning. We give You all honor and glory for who You are.

Your Word says, pray much for others; plead for God's mercy upon them; give thanks for all He is going to do for them. Pray in this way for kings and all others who are in authority over us, or are in places of high responsibility, so that we can live in peace and quietness, spending our time in godly living and thinking much about the Lord.

So, Father, we pray for Your highest will for others, Lord, especially for our leaders; and we thank You for all You are doing for them through our prayers. Because of these prayers, we are able to live in peace and quiet, thinking much about You.

We ask You to give them wisdom, boldness, and cover them with truth. May their decisions and lives be lived in total accordance to and with Your will. In Christ's Name, we pray, Amen

The Pledge of Allegiance was led by Rep. Gonzalez.

Kansas Trivia Question – Referring to its central position, Senator John James Ingalls called Kansas the nation's what?

Answer: Navel

COMMUNICATIONS FROM STATE OFFICERS

From David N. Harper, Director, Division of Property Valuation, Kansas Department of Revenue, pursuant to K.S.A. 79-1490, 2011 Preliminary Real Estate Appraisal/Sales Ratio Study.

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 294**.

Representative O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 303**.

Representative O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 334**.

Representative O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 353** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 353, AN ACT concerning barbers; relating to the powers of the board; fees; licensure; amending K.S.A. 65-1819 and 65-1820a and K.S.A. 2011 Supp. 65-1817 and 65-1824 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Shultz, Siegfroid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins, DeGraaf, Grosserode, Kinzer, Patton, Scapa, Schwab.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed.

HB 2018, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2011 Supp. 72-6455 and 72-6459 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed, as amended.

HB 2425, AN ACT concerning campaign finance; relating to schools; also relating to question submitted elections; amending K.S.A. 25-901, 25-904 and 25-905 and K.S.A. 2011 Supp. 25-4143 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: D. Gatewood.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed, as amended.

Sub HB 2709, AN ACT concerning recreational uses of land; relating to hunting; relating to big game hunting violations and restitution; relating to trespassing; amending K.S.A. 2011 Supp. 21-5808, 32-1005, 32-1013 and 32-1032 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burgess, Dillmore, Henderson, Lane, LeDoux, Mah, Sloan, Smith.

Present but not voting: Kiegerl.

Absent or not voting: Kelley.

The substitute bill passed, as amended.

HB 2777, AN ACT concerning state institutions; relating to special education and related services provided by the state school for the blind and the state school for the deaf; amending K.S.A. 76-1006 and 76-1102 and K.S.A. 2011 Supp. 72-978 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf,

Wolfe Moore, Worley.

Nays: Dillmore, Ward.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed.

SB 252, AN ACT concerning the rules and regulations filing act; pertaining to the notice period for certain rules and regulations; amending K.S.A. 2011 Supp. 77-415 and 77-421 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Kelley.

The bill passed.

SB 258, AN ACT concerning state officers and employees; relating to state universities; relating to certain negotiated contracts, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

H Sub for SB 259, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; enacting the Kansas public employees retirement system act of 2014; providing terms, conditions, requirements, benefits and contributions related thereto; relating to fiscal notes on bills that provide retirement benefit enhancements, actuarial cost; employer and employee contributions; sale of real estate of state agencies, disposition of proceeds to Kansas public employees retirement system fund; employment after retirement for certain school employees; amending K.S.A. 74-4915 and 74-4919 and K.S.A. 2011 Supp. 74-4914d, 74-4920, 74-4937, 74-49,205 and 75-6609 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-49,213, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 33; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, Wetta, B. Wolf, K. Wolf, Worley.

Nays: Burgess, Burroughs, Carlin, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Otto, Pauls, Peterson, Phelps, Ruiz, Slattery, Tietze, Trimmer, Tyson, Victors, Ward, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: While **H Sub for SB 259** does trigger **HB 2194**, providing a mechanism to pay down the unfunded liability in the existing KPERS system, and adds additional funding from Expanded Lottery Revenue Funds also for unfunded liability reduction, I must vote no. The bill includes a defined contribution component that is not only unnecessary but also costly to the state and the taxpayer. I do not believe ideology should trump reason. — ED TRIMMER, BILL FEUERBORN, ANNIE TIETZE, MELANIE MEIER, JANICE L. PAULS, BOB GRANT, LOUIS RUIZ, JERRY WILLIAMS, MELODY MCCRAY-MILLER, MIKE SLATTERY, JUDITH LOGANBILL, ANNIE KUETHER, GERALDINE FLAHARTY, HAROLD LANE, VALDENIA WINN, SYDNEY CARLIN

MR. SPEAKER: It gives me great pleasure to vote yes on **H Sub for SB 259**. In my opinion this landmark Legislation will set the baseline for future KPERS reform. The detailed analytical thought process, dedication and determination of our Committee and the support staff is displayed in this legislation.

During this process we will continue to work together to provide a simple, balanced and fair retirement plan for future public sector employees. My hope is 30 years from now, they will be saying, "what a great retirement system, I wonder how it happened?"
— JOHN C. GRANGE, CHARLES B. ROTH

MR. SPEAKER: I vote NO on **H Sub for SB 259** because I believe the defined contribution plan amendment added to the bill will only worsen the existing KPERS unfunded liability issue. While I am pleased that we will be dedicating 75% of future gaming revenues to pay off the UAL, and we have included enough provisions from the KPERS Study Commission proposal to effectively trigger the key provisions of **HB 2194** to begin addressing the UAL in earnest, I cannot cast a vote for a bill that potentially could make the situation worse. — ANN E. MAH, EBER PHELPS

MR. SPEAKER: I have concerns about the amendment offered to this bill that allows new Tier 3 employees to choose a defined contribution plan. This will not aid out efforts to reduce the unfunded actuarial liability. Despite this, I vote Yes on **H Sub for SB 259** to move this process forward and hope that the bill can be improved so that we achieve the most important goal of eliminating the unfunded actuarial liability. — PAUL DAVIS, BARBARA BALLARD

SB 280, AN ACT concerning commitment of sexually violent predators; relating to evaluations; testimony of expert witnesses; amending K.S.A. 59-29a05 and K.S.A. 2011 Supp. 59-29a06 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

Sub SB 282, AN ACT concerning covered offenses and conduct giving rise to forfeiture; relating to fleeing or eluding; amending K.S.A. 2011 Supp. 60-4104 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

SB 300, AN ACT concerning motor vehicles; relating to temporary vehicle registration permits; extending the thirty-day registration to sixty days; amending K.S.A. {8-127 and K.S.A.} 2011 Supp. 8-135{, 8-135c, 8-143, 8-198} and 8-2409 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 3; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, D. Gatewood, S. Gatewood.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Colloton, the House nonconcurrred in Senate amendments to **HB 2413**, and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Hayzlett, the House nonconcurrred in Senate amendments to **HB 2432**, and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurrred in Senate amendments to **HB 2534**, and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted: Recommended that **SB 417, SB 345, SB 322, SB 330, SB 422** be passed.

HB 2746 be passed over and retain a place on the calendar.

Committee report recommending a substitute bill to **H Sub for SB 287** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub SB 315** be adopted; also, on motion of Rep. Suellentrop to amend, Rep. Grant requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment not germane; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for Sub HB 159** be adopted; and the substitute bill be passed.

Committee report to **SB 320** be adopted; and the bill be passed as amended.

Committee report to **SB 304** be adopted; and the bill be passed as amended.

Committee report to **SB 262** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 160** be adopted; and the substitute bill be passed.

Committee report to **SB 207** be adopted; and the bill be passed as amended.

On motion of Rep. Siegfroid, pursuant to House Rule 2311, House Rule 1704 be suspended for the purpose of allowing designated members to speak more than once on **H Sub for SB 344**. Those members are: Reps. O'Neal, Aurand and Davis.

Committee report recommending a substitute bill to **H Sub SB 344** be adopted; also, on motion of Rep. Schroeder to amend, the motion did not prevail. Also, on motion of Rep. LeDoux to amend, the motion did not prevail.

Also, on motion of Rep. Arpke, **H Sub for SB 344** be amended on page 1, by striking all in lines 35 and 36;

By striking all on pages 2 through 13;

On page 14, by striking all in lines 1 through 5 and inserting the following:

"Sec. 4. Congressional district 1 shall consist of all of Barber county; and all of Barton county; and the following voting districts in Butler county: (00002A), (000030), (00004A), (000050), (00006A), (000100), (000120), (00014A), (00015A), (00016A), (00016B), (00016C), (000170), (000180), (000190), (000200), (000210), (000220), (00023A), (00023B), (000240), (000250), (000280), (00030A), (000310), (000320); and the following blocks in voting district (000330), tract 0201.00, block group 2, in Butler county: block 065, block 083, block 084, block 085, block 087, block 088, block 089, block 094, block 095, block 146, block 147, block 216; and the following blocks in voting district (000330), tract 0202.01, block group 2, in Butler county: block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 027, block 110, block 111; and the following blocks in voting district (000330), tract 0202.01, block group 3, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 029, block 030, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 045, block 046, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 057, block 058, block 059, block 060, block 061, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 082, block 083, block 085, block 086, block 087, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 098, block 099, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 108, block 109, block 111, block 112, block 113, block 114, block 119, block 120, block 125, block 126, block 127, block 128, block 129, block 130, block 134, block 135, block 138, block 139, block 140, block 142, block 143, block 144, block 145, block 148, block 149, block 150, block 151, block 153, block 154, block 155, block 156, block 159, block 161, block 162, block 163, block 165, block 167, block 168, block 169, block 170, block 171, block 172, block 173, block 174, block 175, block 176, block 177, block 178, block 179, block 180, block 181, block 182, block 183, block 184, block 185, block 186, block 187, block 188, block 189, block 191, block 192, block 193, block 194, block 195, block 198, block 199, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 211, block 212, block 213, block 219, block 220, block 221, block 222, block 223, block 224, block 225, block 226, block 227, block 228, block 229, block 230, block 233, block 234, block 235, block 237, block 240, block 241, block 242, block 243, block 244, block 246, block 248; and the following blocks in voting district (000330), tract 0203.00, block group 1, in Butler county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 019, block 090; and the following blocks in voting district (000330), tract 0203.00, block group 2, in Butler county: block 000, block 002, block 003; and the following blocks in voting district (000330), tract 0204.00, block group 1, in Butler county: block 066, block 067, block 070; and the following blocks in voting district (000330), tract 0205.00, block group 2, in Butler county: block 040, block 041; and the following blocks in voting district (000330), tract 0205.00, block group 4, in Butler

county: block 007, block 009, block 010; and the following blocks in voting district (000330), tract 0206.00, block group 3, in Butler county: block 069; and the following voting districts in Butler county: (000350), (000360), (000390); and the following blocks in voting district (000410), tract 0202.01, block group 1, in Butler county: block 062, block 063, block 064, block 065, block 066, block 090, block 099, block 139; and the following blocks in voting district (000410), tract 0202.01, block group 2, in Butler county: block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 028, block 029, block 030, block 031, block 032, block 033, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 047, block 048, block 049, block 050, block 051, block 052, block 053, block 054, block 055, block 056, block 058, block 083, block 084, block 085, block 086, block 087, block 094, block 095, block 096, block 097, block 098, block 109, block 112; and the following voting districts in Butler county: (000430), (800050), (80010B), (80020A), (80020B), (80030B), (80030C), (80030D), (90000A); and all of Chase county; and all of Cheyenne county; and all of Clark county; and all of Clay county; and all of Cloud county; and all of Comanche county; and all of Decatur county; and all of Dickinson county; and all of Edwards county; and all of Ellis county; and all of Ellsworth county; and all of Finney county; and all of Ford county; and all of Geary county; and all of Gove county; and all of Graham county; and all of Grant county; and all of Gray county; and all of Greeley county; and all of Hamilton county; and all of Harper county; and all of Harvey county; and all of Haskell county; and all of Hodgeman county; and all of Jewell county; and all of Kearny county; and all of Kingman county; and all of Kiowa county; and all of Lane county; and all of Lincoln county; and all of Logan county; and all of McPherson county; and all of Marion county; and all of Marshall county; and all of Meade county; and all of Mitchell county; and all of Morris county; and all of Morton county; and the following voting districts in Nemaha county: (000010), (000020), (000040), (00005A), (00005B), (00005C), (000060), (000070), (000080), (000090), (000100), (000110), (000120), (000130), (000140), (000150), (000160), (000170), (000180), (000190), (00020A), (00020B), (00020C), (000210), (000220), (00023A), (00023B), (000240), (000250), (000260), (000270), (000280), (000290), (000300), (900010), (900020), (900030); and all of Ness county; and all of Norton county; and all of Osborne county; and all of Ottawa county; and all of Pawnee county; and all of Phillips county; and all of Pratt county; and all of Rawlins county; and all of Reno county; and all of Republic county; and all of Rice county; and all of Rooks county; and all of Rush county; and all of Russell county; and all of Saline county; and all of Scott county; and all of Seward county; and all of Sheridan county; and all of Sherman county; and all of Smith county; and all of Stafford county; and all of Stanton county; and all of Stevens county; and all of Thomas county; and all of Trego county; and all of Wabaunsee county; and all of Wallace county; and all of Washington county; and all of Wichita county.

Sec. 5. Congressional district 2 shall consist of all of Allen county; and all of Anderson county; and all of Atchison county; and all of Bourbon county; and all of Brown county; and all of Coffey county; and all of Doniphan county; and all of Douglas county; and all of Franklin county; and all of Greenwood county; and all of Jackson county; and all of Jefferson county; and all of Leavenworth county; and all of Linn county; and all of Lyon county; and the following voting districts in Miami county:

(000020), (000050), (000060); and the following blocks in voting district (00007A), tract 1001.00, block group 1, in Miami county: block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 031, block 032, block 033, block 034, block 035, block 036, block 038, block 041, block 042, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 071, block 072, block 073, block 074, block 075, block 076, block 078, block 079, block 086, block 087, block 100, block 101, block 102, block 103, block 104, block 105, block 106, block 107, block 124, block 125, block 126, block 129, block 130, block 136; and the following voting districts in Miami county: (000090), (000100), (00011A), (00011B), (00012A), (00012B), (00013A), (00013B), (00013C), (000140), (00016A), (00016B), (000170), (00018A), (00018B), (00019A), (00019B), (000200); and the following blocks in voting district (000210), tract 1001.00, block group 1, in Miami county: block 082, block 083, block 088, block 089, block 090, block 091, block 092, block 093, block 094, block 095, block 096, block 097, block 098, block 099, block 108, block 109, block 110, block 111, block 112, block 113, block 114, block 115, block 116, block 117, block 118, block 119, block 120, block 121, block 122, block 123; and the following blocks in voting district (000210), tract 1001.00, block group 2, in Miami county: block 110, block 111, block 114, block 117, block 118, block 119, block 120, block 121, block 200, block 201, block 202, block 203, block 204, block 205, block 206, block 207, block 208, block 209, block 210, block 211, block 212, block 213, block 214, block 215, block 216, block 220, block 221, block 222, block 223, block 224, block 228; and the following blocks in voting district (000210), tract 1001.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 008, block 009, block 010, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 018, block 019, block 020, block 021, block 022, block 023, block 024, block 025, block 026, block 027, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 036, block 037, block 038, block 039, block 040, block 041, block 042, block 043, block 044, block 045, block 046, block 047, block 048, block 049, block 057, block 058, block 059, block 060, block 061, block 062, block 063, block 065, block 066, block 067; and the following blocks in voting district (000210), tract 1002.00, block group 2, in Miami county: block 066, block 067, block 068, block 234, block 235, block 236, block 237, block 238, block 239, block 240, block 241, block 242, block 255, block 259, block 260, block 261, block 262; and the following blocks in voting district (000210), tract 1002.00, block group 3, in Miami county: block 029; and the following blocks in voting district (000210), tract 1005.00, block group 3, in Miami county: block 023, block 028, block 029, block 030, block 031, block 032, block 033, block 034, block 035, block 043; and the following blocks in voting district (000210), tract 1006.01, block group 5, in Miami county: block 002, block 011, block 012, block 013, block 014, block 015, block 016, block 017, block 053; and the following blocks in voting district (000210), tract 1006.02, block group 1, in Miami county: block 000, block 001, block 002, block 003, block 004, block 005, block 006, block 007, block 048; and the following voting districts in Miami county: (000240), (000250), (000270), (000280), (200010), (200020), (900010), (900020), (900030), (900040), (900050), (900070), (900080), (900120), (900140), (900150), (900160), (900180); and the following voting districts in Nemaha county: (000030); and all of Neosho county; and all of Osage county; and all

of Pottawatomie county; and all of Riley county; and all of Shawnee county; and all of Wilson county; and all of Woodson county.

Sec. 6. Congressional district 3 shall consist of all of Johnson county; and the following voting districts in Miami county: (000010), (00003B), (00004B), (00004C); and the following blocks in voting district (00007A), tract 1001.00, block group 1, in Miami county: block 006, block 007, block 008, block 012, block 013, block 014, block 015, block 017, block 037, block 039, block 040, block 047, block 053, block 054, block 055, block 056, block 058, block 077, block 080, block 081, block 084, block 085, block 128, block 132; and the following blocks in voting district (00007A), tract 1002.00, block group 1, in Miami county: block 000, block 037, block 038, block 039; and the following blocks in voting district (00007A), tract 1002.00, block group 2, in Miami county: block 026, block 027, block 028, block 029, block 057, block 061, block 062, block 063, block 064, block 069; and the following blocks in voting district (00007A), tract 1002.00, block group 3, in Miami county: block 000, block 001, block 002, block 003, block 004, block 026, block 027, block 028, block 030; and the following voting districts in Miami county: (00007B), (000080); and the following blocks in voting district (000210), tract 1002.00, block group 2, in Miami county: block 058, block 059, block 060, block 065; and the following voting districts in Miami county: (000220), (00023A), (00023B), (00023C), (00023D), (000260), (300010), (300020), (900090), (900100), (900110), (900130); and all of Wyandotte county.

Sec. 7. Congressional district 4 shall consist of the following voting districts in Butler county: (00001A), (00001B), (00001L), (00001N), (00001O), (00002B), (00002C), (00004B), (000070), (000080), (000090), (00009A), (00009C), (00009E), (00009F), (00009G), (00009H), (00009I), (000110), (000130), (000260), (000270), (000290), (000300); and the following blocks in voting district (000330), tract 0202.01, block group 2, in Butler county: block 000; and the following voting districts in Butler county: (000340), (000380); and the following blocks in voting district (000410), tract 0201.00, block group 2, in Butler county: block 217; and the following blocks in voting district (000410), tract 0201.00, block group 3, in Butler county: block 261; and the following blocks in voting district (000410), tract 0202.01, block group 2, in Butler county: block 034, block 035, block 043, block 044, block 045, block 046, block 057, block 059, block 060, block 061, block 062, block 063, block 064, block 065, block 066, block 067, block 068, block 069, block 070, block 071, block 072, block 073, block 074, block 075, block 076, block 077, block 078, block 079, block 080, block 081, block 082, block 090, block 091, block 092, block 093, block 113, block 114, block 115; and the following voting districts in Butler county: (000440), (000450), (200010), (200020), (800040), (800060), (80010A), (80040A), (80040B), (80070A), (80070B), (80070C), (80070D), (80070E), (80070F); and all of Chautauqua county; and all of Cherokee county; and all of Cowley county; and all of Crawford county; and all of Elk county; and all of Lette county; and all of Montgomery county; and all of Sedgwick county; and all of Sumner county.";

Also, on further motion of Rep. LeDoux to amend, the motion did not prevail; and **H Sub for SB 344** be passed as amended.

Committee report to **SB 273** be adopted; also, roll call was demanded on motion of Rep. Denning to amend on page 3, following line 5, by inserting:

"New Sec. 2. (a) (1) Upon request of a physician, health insurance issuers shall provide to the physician and the patient of the physician information on the amounts of

expected benefits coverage provided by the health insurance issuer on specific procedures and services as specified by the physician as part of such request. Information provided by the health insurance issuer under this subsection shall be accurate and the best estimate based on information available at the time of the health insurance issuer's response to the request.

(2) The expected benefits coverage information provided under subsection (a)(1) shall include: (A) The amount the patient will be expected to pay clearly identifying deductible amounts, coinsurance and copayment; (B) the amount the provider will be paid; (C) whether any service will be denied; (D) whether any payments will be reduced from the agreed fee schedule amounts; and (E) an explanation of, if and why the referenced services are bundled with other services.

(3) Information requested to be provided under this subsection (a) shall be known as the health care predetermination request (HCPD). The health insurance issuer's response shall be returned using the same transmission method as that of the submission, including a real time response to a real time request. The HCPD shall be conducted in accordance with the most current version of the transactions and code sets standards promulgated under the health insurance portability and accountability act of 1996 (Public Law 104-191) and 45 C.F.R. Parts 160 and 162 or later versions as established in rules and regulations adopted by the commissioner of insurance.

(b) The commissioner of insurance shall adopt rules and regulations necessary to carry out the provisions of this section.

(c) The provisions of this section shall not apply to any policy or certificate which provides coverage only for a specified disease or health condition, specified accident or accident only coverage, disability income, long-term care insurance as defined by K.S.A. 40-2227, and amendments thereto, a medicare supplemental policy of insurance as defined by the commissioner of insurance by rule and regulation, workers compensation insurance, automobile medical-payment insurance or to any policy or certificate which is issued by a health insurance issuer whose percentage market share in Kansas of all issuers of health insurance is less than 2% as determined by the commissioner of insurance.

(d) As used in this section: (1) "Health insurance issuer" means any insurer, corporation or other entity which issues health insurance policies; (2) "health insurance policies" means any hospital or medical expense policy, health, hospital or medical service corporation contract, a health insurance plan provided by a municipal group-funded pool, a health maintenance organization contract or any certificate issued under any such policies, contracts or plans; (3) "physician" means a person licensed to practice medicine and surgery.

(e) This section shall not be subject to the provisions of K.S.A. 40-2248 and 40-2249, and amendments thereto.

(f) This section shall take effect on and after January 1, 2014.;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "ACT" by inserting "relating to insurance,;" also in line 1, after "company,;" by inserting "concerning health care predetermination requests for information relating to health insurance benefits coverage;"

On roll call, the vote was: Yeas 45; Nays 76; Present but not voting: 0; Absent or not voting: 4.

Yeas: Bollier, Boman, Brookens, Bruchman, Brunk, Carlson, Collins, Colloton,

Crum, DeGraaf, Denning, Fawcett, Goodman, Grosserode, Hill, Hineman, M. Holmes, Johnson, Kelly, Kerschen, Kleebe, Knox, Kuether, Lane, Mast, Meier, Meigs, Montgomery, Moxley, Phillips, Powell, Proehl, Roth, Rubin, Ryckman, Schwartz, Siegfried, Slattery, Sloan, Smith, Spalding, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bowers, Brown, Burgess, Burroughs, Calloway, Carlin, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Kiegerl, Kinzer, Landwehr, Loganbill, Mah, McCray-Miller, McLeland, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Pottorff, Prescott, Rhoades, Ruiz, Scapa, Schroeder, Schwab, Seiwert, Shultz, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn.

Present but not voting: None.

Absent or not voting: Cassidy, Kelley, LeDoux, Peterson.

The motion of Rep. Denning did not prevail; and **SB 273** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 114** be adopted; also, on motion of Rep. Sloan be amended on page 1, in line 9, by striking "supercede" and inserting "supersede"; in line 14, by striking "such restrictions apply to the residents of the city or county" and inserting "the city or county receives consent by each governing body of a city or county outside its corporate boundaries which may be affected by such restrictions"; in line 15, by striking all after "to"; by striking all in line 16; in line 17, by striking all before the period and inserting "the residents of such city or county but not to residents of another city or county being serviced by the same solid waste disposal area"; in line 18, by striking all after "(c)"; by striking all in line 19; in line 20, by striking all before the period and inserting "This section shall be part of and supplemental to the provisions of article 34 or chapter 65 of the Kansas Statutes Annotated, and amendments thereto"; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 341** be adopted; also, roll call was demanded on motion of Rep. Mah to amend on page 4, in line 15, by striking "a majority" and inserting "65% or more"; also in line 15, by striking "who reside"; by striking all in lines 16 and 17; in line 18, by striking "city"; in line 19, by striking all after the period; by striking all in lines 20 through 22;

On roll call, the vote was: Yeas 15; Nays 99; Present but not voting: 0; Absent or not voting: 11.

Yeas: Ballard, Burroughs, Carlin, Davis, Dillmore, Finney, Frownfelter, McCray-Miller, Roth, Ruiz, Tietze, Victors, Ward, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Flaharty, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson,

Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Gordon, Henderson, Hill, Kuether, Landwehr, Lane, LeDoux, Loganbill, Peterson.

The motion of Rep. Mah did not prevail; and **H Sub for SB 341** be passed.

Committee report to **SB 155** be adopted; also, on motion of Rep. Otto to amend, Rep. Schwab requested a ruling on the amendment being in order. The motion of Rep. Otto to amend **SB 155** was ruled out of order because it was the equivalent question, in the negative, as the committee report which had previously been adopted and thus violated Masons Manual Rule 159-5.

Also, on motion of Rep. Kiegerl to amend **SB 155**, the motion was ruled out of order. Also, on further motion of Rep. Kiegerl to amend, Rep. Ward requested a ruling on the amendment being germane to the bill. Rep. Kiegerl subsequently withdrew his amendment; and the bill be passed as amended.

Committee report to **SB 250** be adopted; also, on motion of Rep. Bethell to amend, the motion did not prevail.

Also, on motion of Rep. Rubin to amend **SB 250**, Rep. O'Hara requested a ruling on the amendment being germane to the bill. The Rules Vice Chair ruled the amendment not germane.

Also, on further motion of Rep. Bethell to amend **SB 250**, Rep. Flaharty requested a ruling on the amendment being germane to the bill. Rep. Bethell subsequently withdrew his amendment.

Also, on motion of Rep. Brown to amend **SB 250**, the motion did not prevail.

Also, having voted on the prevailing side, Rep. Howell offered a motion to reconsider the adverse action in not adopting the first amendment offered by Rep. Bethell. The motion prevailed.

The question reverted back to the motion of Rep. Bethell and **SB 250** be amended on page 2, following line 1, by inserting:

"Sec. 2. This section may be known and cited as the interstate health care compact.

THE INTERSTATE HEALTH CARE COMPACT

ARTICLE I

DEFINITIONS

As used in this Compact, unless the context clearly indicates otherwise:

- (a) "Commission" means the Interstate Advisory Health Care Commission.
- (b) "Effective Date" means the date upon which this Compact shall become effective for purposes of the operation of State and Federal law in a Member State, which shall be the later of:
 - (1) the date upon which this Compact shall be adopted under the laws of the Member State, and
 - (2) the date upon which this Compact receives the consent of Congress pursuant to Article I, Section 10, of the United States Constitution, after at least two Member States adopt this Compact.
- (c) "Health Care" means care, services, supplies, or plans related to the health of an individual and includes but is not limited to:
 - (1) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care and counseling, service, assessment, or procedure with respect to the physical or mental condition or functional status of an individual or that affects the structure or

function of the body, and

(2) sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription, and

(3) an individual or group plan that provides, or pays the cost of, care, services, or supplies related to the health of an individual, except any care, services, supplies, or plans provided by the United States Department of Defense and United States Department of Veterans Affairs, or provided to Native Americans.

(d) "Member State" means a State that is signatory to this Compact and has adopted it under the laws of that State.

(e) "Member State Base Funding Level" means a number equal to the total Federal spending on Health Care in the Member State during Federal fiscal year 2010. On or before the Effective Date, each Member State shall determine the Member State Base Funding Level for its State, and that number shall be binding upon that Member State. The preliminary estimate of Member State Base Funding Level for the State of Kansas is \$6,985,000,000.

(f) "Member State Current Year Funding Level" means the Member State Base Funding Level multiplied by the Member State Current Year Population Adjustment Factor multiplied by the Current Year Inflation Adjustment Factor.

(g) "Member State Current Year Population Adjustment Factor" means the average population of the Member State in the current year less the average population of the Member State in Federal fiscal year 2010, divided by the average population of the Member State in Federal fiscal year 2010, plus 1. Average population in a Member State shall be determined by the United States Census Bureau.

(h) "Current Year Inflation Adjustment Factor" means the Total Gross Domestic Product Deflator in the current year divided by the Total Gross Domestic Product Deflator in Federal fiscal year 2010. Total Gross Domestic Product Deflator shall be determined by the Bureau of Economic Analysis of the United States Department of Commerce.

ARTICLE II PLEDGE

The Member States shall take joint and separate action to secure the consent of the United States Congress to this Compact in order to return the authority to regulate Health Care to the Member States consistent with the goals and principles articulated in this Compact. The Member States shall improve Health Care policy within their respective jurisdictions and according to the judgment and discretion of each Member State.

ARTICLE III LEGISLATIVE POWER

The legislatures of the Member States have the primary responsibility to regulate Health Care in their respective States.

ARTICLE IV STATE CONTROL

Each Member State, within its State, may suspend by legislation the operation of all federal laws, rules, regulations, and orders regarding Health Care that are inconsistent with the laws and regulations adopted by the Member State pursuant to this Compact. Federal and State laws, rules, regulations, and orders regarding Health Care will remain in effect unless a Member State expressly suspends them pursuant to its authority under

this Compact. For any federal law, rule, regulation, or order that remains in effect in a Member State after the Effective Date, that Member State shall be responsible for the associated funding obligations in its State.

ARTICLE V FUNDING

(a) Each Federal fiscal year, each Member State shall have the right to Federal monies up to an amount equal to its Member State Current Year Funding Level for that Federal fiscal year, funded by Congress as mandatory spending and not subject to annual appropriation, to support the exercise of Member State authority under this Compact. This funding shall not be conditional on any action of or regulation, policy, law, or rule being adopted by the Member State.

(b) By the start of each Federal fiscal year, Congress shall establish an initial Member State Current Year Funding Level for each Member State, based upon reasonable estimates. The final Member State Current Year Funding Level shall be calculated, and funding shall be reconciled by the United States Congress based upon information provided by each Member State and audited by the United States Government Accountability Office.

ARTICLE VI INTERSTATE ADVISORY HEALTH CARE COMMISSION

(a) The Interstate Advisory Health Care Commission is established. The Commission consists of members appointed by each Member State through a process to be determined by each Member State. A Member State may not appoint more than two members to the Commission and may withdraw membership from the Commission at any time. Each Commission member is entitled to one vote. The Commission shall not act unless a majority of the members are present, and no action shall be binding unless approved by a majority of the Commission's total membership.

(b) The Commission may elect from among its membership a Chairperson. The Commission may adopt and publish bylaws and policies that are not inconsistent with this Compact. The Commission shall meet at least once a year, and may meet more frequently.

(c) The Commission may study issues of Health Care regulation that are of particular concern to the Member States. The Commission may make non-binding recommendations to the Member States. The legislatures of the Member States may consider these recommendations in determining the appropriate Health Care policies in their respective States.

(d) The Commission shall collect information and data to assist the Member States in their regulation of Health Care, including assessing the performance of various State Health Care programs and compiling information on the prices of Health Care. The Commission shall make this information and data available to the legislatures of the Member States. Notwithstanding any other provision in this Compact, no Member State shall disclose to the Commission the health information of any individual, nor shall the Commission disclose the health information of any individual.

(e) The Commission shall be funded by the Member States as agreed to by the Member States. The Commission shall have the responsibilities and duties as may be conferred upon it by subsequent action of the respective legislatures of the Member States in accordance with the terms of this Compact.

(f) The Commission shall not take any action within a Member State that

contravenes any State law of that Member State.

ARTICLE VII
CONGRESSIONAL CONSENT

This Compact shall be effective on its adoption by at least two Member States and consent of the United States Congress. This Compact shall be effective unless the United States Congress, in consenting to this Compact, alters the fundamental purposes of this Compact, which are:

(a) To secure the right of the Member States to regulate Health Care in their respective States pursuant to this Compact and to suspend the operation of any conflicting federal laws, rules, regulations, and orders within their States; and

(b) To secure Federal funding for Member States that choose to invoke their authority under this Compact, as prescribed by Article 5 above.

ARTICLE VIII
AMENDMENTS

The Member States, by unanimous agreement, may amend this Compact from time to time without the prior consent or approval of Congress and any amendment shall be effective unless, within one year, the Congress disapproves that amendment. Any State may join this Compact after the date on which Congress consents to the Compact by adoption into law under its State Constitution.

ARTICLE IX
WITHDRAWAL; DISSOLUTION

Any Member State may withdraw from this Compact by adopting a law to that effect, but no such withdrawal shall take effect until six months after the Governor of the withdrawing Member State has given notice of the withdrawal to the other Member States. A withdrawing State shall be liable for any obligations that it may have incurred prior to the date on which its withdrawal becomes effective. This Compact shall be dissolved upon the withdrawal of all but one of the Member States.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "ACT" by inserting "concerning health care;"; also in line 1, after "firefighters" by inserting "; relating to the interstate health care compact"; and **SB 250** be passed as amended.

Committee report to **SB 257** be adopted; and the bill be passed as amended.

On motion of Rep. Scapa to amend **SB 366**, the motion did not prevail.

Also, on motion of Rep. Suellentrop, **SB 366** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 60-733 is hereby amended to read as follows: 60-733. (a) The written direction of a party seeking an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall state the amount to be withheld, which shall be 110% of the amount of the judgment creditor's claim, in the case of prejudgment garnishment, or 110% of the amount of the current balance due under the judgment, in the case of postjudgment garnishment. The garnishee, without prior agreement, may withhold and retain to defray the garnishee's costs, an administrative fee of ~~\$10~~\$15 for each order of garnishment that attaches funds, credits or indebtedness. Such administrative fee shall be in addition to the amount required to be withheld under the order for garnishment, except that if the amount required to be withheld under the order for garnishment is greater than the amount of the funds, credits or indebtedness held by a bank, savings and loan

association, credit union or finance company, the fee shall be deducted from the amount withheld.

(b) All orders of garnishment issued in this state for the purpose of attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the judgment debtor's address and tax identification number, if known, and shall specify the amount of funds, credits or indebtedness to be withheld by the garnishee, which shall be 110% of the amount of the judgment creditor's claim or 110% of the amount of the current balance due under the judgment, as stated in the written direction of the party seeking the order.

(c) The forms provided by law for an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the following statement:

"If you hold any funds, credits or indebtedness belonging to or owing the judgment debtor, the amount to be withheld by you pursuant to this order of garnishment is not to exceed

\$ _____."

(amount stated in direction)

(d) (1) The forms provided by law for the answer to an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the following statement:

"The amount of the funds, credits or indebtedness belonging to or owing the judgment debtor which I shall hold shall not exceed

\$ _____."

(amount stated in order)

(2) The answer shall further include information that such account is owned in joint tenancy with one or more individuals who are not subject to the garnishment, if applicable.

(e) If an order of garnishment attaches funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company and the garnishee holds funds or credits or is indebted to the judgment debtor in two or more accounts, the garnishee may withhold payment of the amount attached from any one or more of such accounts.

(f) If an order of garnishment attaches funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company and the garnishee holds funds or credits or is indebted to the judgment debtor in an account which judgment debtor owns in joint tenancy with one or more individuals who are not subject to the garnishment, the garnishee shall withhold the entire amount sought by the garnishment. Neither the garnishor nor the garnishee shall be liable to the joint owners if the ownership of the funds is later proven not to be the judgment debtor's.

(g) No party shall seek an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, savings bank, credit union or finance company except on good faith belief of the party seeking garnishment that the party to be served with the garnishment order has, or will have, assets of the judgment debtor. Except as provided further, not more than two garnishments shall be issued by a party seeking an order of garnishment applicable to the same claim or claims and against the same judgment debtor in any 30-day period. A judge may order an exception to this subsection in any case in which the party seeking the garnishment shall in person

or by attorney: (1) Certify that the garnishment is not for the purpose of harassment of the debtor, and (2) state facts demonstrating to the satisfaction of the judge that there is reason to believe that the garnishee has property or credits of the debtor which are not exempt from execution."

On page 2, following line 26, by inserting:

"(a) The written direction of a party seeking an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall state the amount to be withheld, which shall be 110% of the amount of the judgment creditor's claim, in the case of prejudgment garnishment, or 110% of the amount of the current balance due under the judgment, in the case of postjudgment garnishment. The garnishee, without prior agreement, may withhold and retain to defray the garnishee's costs, an administrative fee of ~~\$10~~\$15 for each order of garnishment that attaches funds, credits or indebtedness. Such administrative fee shall be in addition to the amount required to be withheld under the order for garnishment, except that if the amount required to be withheld under the order for garnishment is greater than the amount of the funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company, the fee shall be deducted from the amount withheld.

(b) All orders of garnishment issued in this state for the purpose of attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the judgment debtor's address and tax identification number, if known, and shall specify the amount of funds, credits or indebtedness to be withheld by the garnishee, which shall be 110% of the amount of the judgment creditor's claim or 110% of the amount of the current balance due under the judgment, as stated in the written direction of the party seeking the order.

(c) The forms provided by law for an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the following statement:

"If you hold any funds, credits or indebtedness belonging to or owing the judgment debtor, the amount to be withheld by you pursuant to this order of garnishment is not to exceed \$ _____."

(amount stated in direction)

(d) (1) The forms provided by law for the answer to an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company shall include the following statement:

"The amount of the funds, credits or indebtedness belonging to or owing the judgment debtor which I shall hold shall not exceed \$ _____."

(amount stated in order)

(2) The answer shall further include information that such account is owned in joint tenancy with one or more individuals who are not subject to the garnishment, if applicable.

(e) If an order of garnishment attaches funds, credits or indebtedness held by a bank, savings and loan association, credit union or finance company and the garnishee holds funds or credits or is indebted to the judgment debtor in two or more accounts, the garnishee may withhold payment of the amount attached from any one or more of such accounts.

(f) If an order of garnishment attaches funds, credits or indebtedness held by a

bank, savings and loan association, credit union or finance company and the garnishee holds funds or credits or is indebted to the judgment debtor in an account which judgment debtor owns in joint tenancy with one or more individuals who are not subject to the garnishment, the garnishee shall withhold the entire amount sought by the garnishment. Neither the garnishor nor the garnishee shall be liable to the joint owners if the ownership of the funds is later proven not to be the judgment debtor's.

(g) No party shall seek an order of garnishment attaching funds, credits or indebtedness held by a bank, savings and loan association, savings bank, credit union or finance company except on good faith belief of the party seeking garnishment that the party to be served with the garnishment order has, or will have, assets of the judgment debtor. Except as provided further, not more than two garnishments shall be issued by a party seeking an order of garnishment applicable to the same claim or claims and against the same judgment debtor in any 30-day period. A judge may order an exception to this subsection in any case in which the party seeking the garnishment shall in person or by attorney: (1) Certify that the garnishment is not for the purpose of harassment of the debtor, and (2) state facts demonstrating to the satisfaction of the judge that there is reason to believe that the garnishee has property or credits of the debtor which are not exempt from execution."

And by renumbering sections accordingly.

On page 3, in line 39, following "K.S.A." by inserting "60-733 and 61-3506 and K.S.A."

On page 1, in the title, in line 2, following "K.S.A." by inserting "60-733 and 61-3506 and K.S.A."; and **SB 366** be passed as amended.

Committee report to **SB 367** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 28** be adopted; and the substitute bill be passed.

Committee report to **HB 2766** be adopted; and the bill be passed as amended.

Committee report to **HB 2773** be adopted; also, on motion of Rep. O'Neal be amended on page 3, in line 12, by striking "2011, or June 30,"; in line 30, by striking "2011, or"; in line 31, by striking "June 30,";

On page 5, in line 4, by striking "2011, or June 30,"; in line 34, by striking "2011, or June 30,";

On page 6, in line 30, by striking "2011, or June"; in line 31, by striking "30,";

On page 7, in line 25, by striking "2011, or June 30,";

On page 8, in line 18, by striking "2011, or June 30,"; in line 32, by striking "2011, or June 30,";

On page 9, in line 22, by striking "2011, or June 30,";

On page 13, in line 14, by striking "years 2011-2012 and" and inserting "year"; in line 33, by striking "For school year 2011-2012, any"; by striking all in lines 34 through 38;

On page 14, in line 10, by striking "years 2011-2012 and" and inserting "year"; in line 21, after the semicolon by inserting "and"; by striking all in lines 22 through 43;

On page 15, by striking all in lines 1 through 7, and inserting "(4)"; in line 8, by striking "sum" and inserting "product"; in line 42, by striking "2011, or June 30,";

On page 16, in line 31, by striking "2011, or June 30,";

On page 17, in line 10, by striking "2011, or June 30,"; in line 33, by striking "2011, or June 30,"; in line 42, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 6, by striking "section" and inserting "sections";

Also, on motion of Rep. Otto to amend **HB 2773**, the motion did not prevail. Also, on motion of Rep. Kiegerl to amend, Rep. Otto requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **HB 2773** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 314** be amended on page 4, following line 25, by inserting:

"Sec. 4. K.S.A. 2011 Supp. 32-932 is hereby amended to read as follows: 32-932.

(a) Any person ~~having a permanent disability to the extent that such person cannot physically use a conventional long bow or compound bow, as certified by a person licensed to practice the healing arts in any state,~~ shall be authorized to hunt and take deer, antelope, elk or wild turkey with a crossbow.

(b) The secretary of wildlife and parks shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations requiring permits to hunt deer, antelope, elk or wild turkey pursuant to subsection (a) and providing for the approval of applicants for such permits and the issuance thereof. In addition, the secretary may adopt rules and regulations limiting the times and areas for hunting and taking deer, antelope, elk and wild turkey and limiting the number of deer, antelope, elk and wild turkey which may be taken pursuant to subsection (a).

(c) Falsely obtaining or using a permit authorized by this section is a class C misdemeanor.

Sec. 5. K.S.A. 2011 Supp. 32-937 is hereby amended to read as follows: 32-937.

(a) When used in this section:

(1) "Landowner" means a resident owner of farm or ranch land of 80 acres or more located in the state of Kansas.

(2) "Tenant" means an individual who is actively engaged in the agricultural operation of 80 acres or more of Kansas farm or ranch land for the purpose of producing agricultural commodities or livestock and who: (A) Has a substantial financial investment in the production of agricultural commodities or livestock on such farm or ranch land and the potential to realize substantial financial benefit from such production; or (B) is a *bona fide* manager having an overall responsibility to direct, supervise and conduct such agricultural operation and has the potential to realize substantial benefit from such production in the form of salary, shares of such production or some other economic incentive based upon such production. Evidence of tenancy, if requested, shall be provided to the department and may include, but is not limited to, natural resource conservation services records, farm service agency records, or written agricultural contract or lease documentation.

(3) "Regular season" means a statewide big game hunting season authorized annually which may include one or more seasons restricted to specific types of equipment.

(4) "Special season" means a big game hunting season in addition to a regular season authorized on an irregular basis or at different times of the year other than the regular season.

(5) "General permit" means a big game hunting permit available to Kansas residents not applying for big game permits as a landowner or tenant.

(6) "Nonresident landowner" means a nonresident of the state of Kansas who owns farm or ranch land of 80 acres or more which is located in the state of Kansas.

(7) "Nonresident permit" means a big game hunting permit available to individuals who are not Kansas residents.

(b) Except as otherwise provided by law or rules and regulations of the secretary and in addition to any other license, permit or stamp required by law or rules and regulations of the secretary, valid big game permits are required to take any big game in this state.

(c) The fee for big game permits and game tags shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.

(d) Big game permits are valid throughout the state or such portion thereof as provided by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(e) Unless otherwise provided by law or rules and regulations of the secretary, big game permits are valid from the date of issuance and shall expire at the end of the season for which issued.

(f) The secretary may adopt, in accordance with K.S.A. 32-805, and amendments thereto, rules and regulations for each regular or special big game hunting season and for each management unit regarding big game permits. The secretary is hereby authorized to issue big game permits pertaining to the taking of big game. Separate big game permits may be issued for each species of big game. No big game permits shall be issued until the secretary has established, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, a regular or special big game hunting season.

(g) The secretary may authorize, by rule and regulation adopted in accordance with K.S.A. 32-805, and amendments thereto, regular landowner or tenant hunt-on-your-own-land big game permits. Members of the landowner's or tenant's immediate family who are domiciled with the landowner or tenant may apply for resident big game permits as landowners or tenants, but the total number of landowner or tenant regular hunt-on-your-own-land permits issued to a landowner or tenant and a landowner's or tenant's immediate family members for each big game species shall not exceed one permit for each 80 acres owned by such landowner or operated by such tenant. Evidence of ownership or tenancy, if requested, shall be provided to the department. Such permits and applications may contain provisions and restrictions as prescribed by rule and regulation adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(h) Special hunt-on-your-own-land deer permits may be issued to a landowner's or tenant's siblings and lineal ascendants or descendants, and their spouses, whether or not a Kansas resident, by paying the required fee for a general deer permit. The total number of regular and special hunt-on-your-own-land deer permits issued to a landowner's or tenant's siblings and lineal ascendants or descendants, and their spouses, shall not exceed one deer permit for each 80 acres owned by such landowner or operated by such tenant. Evidence of ownership or tenancy, and sibling or lineal ascending or descending relations, if requested, shall be provided to the department.

(i) Fifty percent of the big game permits authorized for a regular season in any management unit shall be issued to landowners or tenants, provided that a limited number of big game permits have been authorized and landowner or tenant hunt-on-

your-own-land big game permits for that unit have not been authorized. A landowner or tenant is not eligible to apply for a big game permit as a landowner or as a tenant in a management unit other than the unit or units which includes such landowner's or tenant's land. Any big game permits not issued to landowners or tenants within the time period prescribed by rule and regulation may be issued without regard to the 50% limitation.

(j) ~~(1)~~ The secretary may issue, by rules and regulations adopted in accordance with K.S.A. 32-805, and amendments thereto, resident deer hunting permits available on a limited basis and valid for a designated species and sex in designated units, and antlerless-only deer permits in designated units as necessary for management purposes, and, any of the following options:

~~(A)~~ Either sex white-tailed deer permits valid statewide during any season with the equipment legal for that season;

~~(B)~~ either species, either sex archery permits valid statewide;

~~(C)~~ either species, either sex muzzle loader permits valid in designated units; or

~~(D)~~ either species, either sex firearm permits valid in designated units.

(2) The secretary shall develop and implement a pre-rut antlerless deer rifle season by deer management unit. The provisions of this paragraph shall expire on July 1, 2014.

(k) The secretary may issue permits for deer to nonresident landowners, but any such permit shall be restricted to hunting only on lands owned by the nonresident landowner.

(l) The secretary may issue deer hunting permits to nonresidents, subject to the following limitations:

(1) The total number of nonresident deer permits that may be issued for a deer season in a management unit and which may be used to take antlered deer shall be established with the goal of meeting demand for those permits, using a formula developed by the department that will consider adjustment factors, including deer population trends, deer-related vehicle accidents, age structure in the harvest, deer damage, landowner desire for nonresident deer permits, general public desires and health of habitat. The 2008 permit numbers shall be based on the adjustment factors and an average of nonresident demand for permits in each management unit from the previous six years, establishing at least a 10% increase but not more than 50% increase in permit numbers in each management unit, except in unit 16, where permit numbers shall not increase more than 100%. In subsequent years, the formula shall be used to determine permit allocations based on demand and the adjustment factors.

(2) Nonresident deer permits may be restricted to a particular deer species.

(3) Nonresident deer permits shall be restricted to two adjacent deer management units.

(4) Nonresident deer hunters shall select one season at the time of application.

(5) For an additional fee, nonresident deer hunters applying for a whitetail either sex archery or muzzle loader permit in a designated mule deer unit may also apply for one of the limited number of mule deer stamps. If they are successful in both drawings, they would be issued a permit that will allow them to take either a whitetail deer or a mule deer in that unit.

(m) A big game permit shall state the species, number and sex of the big game which may be killed by the permittee. The secretary may require any big game permittee to provide survey information at the conclusion of the open season.

(n) Prior to April 1, 2013, the secretary shall develop and implement a combination antlered and antlerless deer permit and adopt rules and regulations for the administration thereof.

~~(n)~~(o) The permittee shall permanently affix the carcass tag to the carcass of any big game animal immediately after killing and thereafter take such killed game to a check station as may be required in the rules and regulations, where a check station tag shall be affixed to the big game carcass if the kill is legal. The tags shall remain affixed to the carcass until the carcass is processed for storage or consumption. The permittee shall retain the carcass tag until the carcass is consumed, given to another or otherwise disposed of.

~~(n)~~(p) The provisions of this section do not apply to big game animals sold in surplus property disposal sales of department exhibit herds or big game animals legally taken outside this state.";

On page 6, in line 26, after "(b)" by inserting "(1)";

Also on page 6, following line 28, by inserting:

"(2) The secretary shall verify proof of ownership or tenancy of no less than 25% of all such landowner-tenant resident big game or wild turkey hunting permit applicants in each calendar year. Failure of such applicant to provide such proof as required by the secretary shall be a violation of K.S.A. 32-1032, and amendments thereto.";

On page 7, following line 6, by inserting:

"Sec. 7. K.S.A. 2011 Supp. 32-1002 is hereby amended to read as follows: 32-1002. (a) Unless and except as permitted by law or rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, it is unlawful for any person to:

- (1) Hunt, fish, furharvest or take any wildlife in this state by any means or manner;
- (2) possess any wildlife, dead or alive, at any time or in any number, in this state;
- (3) purchase, sell, exchange, ship or offer for sale, exchange or shipment any wildlife in this state;
- (4) take any wildlife in this state for sale, exchange or other commercial purposes;
- (5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish spear, fish trap or other device, contrivance or material for the purpose of taking wildlife; or
- (6) take or use, at any time or in any manner, any game bird, game animal, coyote or furbearing animal, whether pen-raised or wild, in any field trial or for training dogs.

(b) The provisions of subsections (a)(2) and (a)(3) do not apply to animals sold in surplus property disposal sales of department exhibit herds or animals legally taken outside this state, except the provisions of subsection (a)(3) shall apply to:

- (1) The meat of game animals legally taken outside this state; and
 - (2) other restrictions as provided by rule and regulation of the secretary.
- (c) The provisions of this section shall not be construed to prevent:
- (1) Any person from taking starlings or English and European sparrows;
 - (2) owners or legal occupants of land from killing any animals when found in or near buildings on their premises or when destroying property, subject to the following: (A) The provisions of all federal laws and regulations governing protected species and the provisions of K.S.A. 32-957 through 32-963, and amendments thereto, and rules and regulations adopted thereunder; (B) it is unlawful to use, or possess with intent to use, any such animal so killed unless authorized by rules and regulations of the secretary; and (C) such owners or legal occupants shall make reasonable efforts to alleviate their

problems with any such animals before killing them;

(3) any person who is licensed under the personal and family protection act, K.S.A. 75-7c01 *et seq.*, and amendments thereto, from exercising the right to carry a concealed handgun while lawfully hunting, fishing or furharvesting; ~~or~~

(4) any person who lawfully possesses a device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm from using such device or attachment in conjunction with lawful hunting, fishing or furharvesting; or

(5) any person who has been issued a big game permit pursuant to K.S.A. 32-937, and amendments thereto, from using a crossbow during an archery big game season for which such permit is valid.

(d) Any person convicted of violating provisions of this section shall be subject to the penalties prescribed in K.S.A. 32-1031, and amendments thereto, except as provided in K.S.A. 32-1032, and amendments thereto, relating to big game and wild turkey.";

And by renumbering sections accordingly;

On page 7, in line 7, by striking "and" and inserting ", 32-932, 32-937, "; also in line 7, after "32-988" by inserting "and 32-1002";

On page 1, in the title, in line 2, after the semicolon by inserting "related to hunting, "; in line 3, by striking "and" and inserting ", 32-932, 32-937, "; also in line 3, after "32-988" by inserting "and 32-1002"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **SB 104** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 104," as follows:

"HOUSE Substitute for SENATE BILL NO. 104

By Committee on Corrections and Juvenile Justice

"AN ACT concerning driving; creating the crime of refusing to submit to a test to determine the presence of alcohol or drugs; relating to driver's licenses; driving under the influence; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-241, 8-286, 8-288, 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-287, 8-2,144, 8-1001, 8-1008, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6804, 22-2802, 22-2908, 22-2909, 22-4704, 60-427, 74-2012 and 75-712h and repealing the existing sections; also repealing K.S.A. 2011 Supp. 8-1020b and 22-2909c."; and the substitute bill be passed.

(**H Sub for SB 104** was thereupon introduced and read by title.)

Committee on **Elections** recommends **HB 2782** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2782," as follows:

"Substitute for HOUSE BILL NO. 2782

By Committee on Elections

"AN ACT concerning elections; relating to persons running for public office in Kansas."; and the substitute bill be passed.

(**Sub HB 2782** was thereupon introduced and read by title.)

Committee on **Elections** recommends **SB 102** be amended on page 1, by striking all in lines 6 through 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 34;

On page 7, following line 22, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 46-237a is hereby amended to read as follows: 46-237a.

(a) The provisions of this section shall apply to:

- (1) The governor;
- (2) the lieutenant governor;
- (3) the governor's spouse;
- (4) all officers and employees of the executive branch of state government; and
- (5) all members of boards, commissions and authorities of the executive branch of state government.

(b) No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except:

- (1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person's official capacity; ~~or~~
- (2) gifts from relatives or gifts from personal friends when it is obvious to the person that the gift is not being given because of the person's official position; ~~or~~
- (3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state; ~~or~~
- (4) contributions solicited on behalf of a nonprofit organization which is exempt from taxation under paragraph (3) of subsection (c) of section 501 of the internal revenue code of 1986, as amended; or

(5) health-related services or materials if:

(A) The aggregate amount or value of the expenditures made for such health-related services or materials does not exceed \$10 per recipient; and

(B) such services or materials are permitted or not prohibited by law or regulation.

(c) No person subject to the provisions of this section shall solicit or accept free or special discount meals from a source outside of state government, except:

(1) Meals, the provision of which is motivated by a personal or family relationship or provided at events that are widely attended. An occasion is "widely attended" when it is obvious to the person accepting the meal that the reason for providing the meal is not a pretext for exclusive or nearly exclusive access to the person;

(2) meals provided at public events in which the person is attending in an official capacity;

(3) meals provided to a person subject to this act when it is obvious such meals are not being provided because of the person's official position;

(4) food such as soft drinks, coffee or snack foods not offered as part of a meal;

(5) any meal the value of which is \$25 or less;

(6) meals provided to a person when the person's presence at the event or meeting at which the meal is provided serves a legitimate state purpose or interest and the agency of which such person is an officer or employee authorizes such person's attendance at such event or meeting; and

(7) meals provided to the governor's spouse and members of the governor's immediate family at the event or meeting at which the meal is provided serve a legitimate state purpose or interest.

(d) No person subject to the provisions of this section shall solicit or accept free or special discount travel or related expenses from a source outside state government, except:

(1) When it is obvious to the person accepting the same that the free or special discount travel and related expenses are not being provided because of the person's

official position; or

(2) when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would authorize payment for such travel and expenses.

(e) No person subject to the provisions of this section shall solicit or accept free or special discount tickets or access to entertainment or sporting events or activities such as plays, concerts, games, golf, exclusive swimming, hunting or fishing or other recreational activities when the free or special discount tickets or access are provided because of the person's official position. The provisions of this subsection shall not apply to persons whose official position requires or obliges them to be present at such events or activities.

(f) (1) Violations of the provisions of this section by any classified employee in the civil service of the state of Kansas shall be considered personal conduct detrimental to the state service and shall be a basis for suspension, demotion or dismissal, subject to applicable state law.

(2) Violations of the provisions of this section by any unclassified employee shall subject such employee to discipline up to and including termination.

(3) In addition to the penalty prescribed under paragraphs (1) and (2), the commission may assess a civil fine, after proper notice and an opportunity to be heard, against any person for a violation of this section, in an amount not to exceed \$5,000 for the first violation, not to exceed \$10,000 for the second violation and not to exceed \$15,000 for the third violation and for each subsequent violation. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics fee fund established by K.S.A. 25-4119e, and amendments thereto.";

On page 9, in line 12, by striking "and" and inserting:

"(E) health-related services or materials if:

(i) The aggregate amount or value of the expenditures made for such health-related services or materials does not exceed \$10 per recipient; and

(ii) such services or materials are permitted or not prohibited by law or regulation; and";

Also on page 9, in line 10, by striking "(E)" and inserting "(F); in line 14, by striking "or"; in line 16, after "legislature" by inserting "; or

(iii) all members of the legislature attending a recognized regional or national legislative meeting when the event is sponsored by five or more individual lobbyists";

Also on page 9, following line 36, by inserting:

"New Sec. 5. (a) No person who enters into a contract or who has proposed to enter into a contract with a city shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$100 or more in any calendar year or hospitality in the form of recreation having an aggregate value of \$100 or more in any calendar year to a member of the governing body or mayor of any city.

(b) A member of a city governing body or the mayor of any city shall not accept any offer, pay, give or make economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate value of \$100 or more in any calendar

year or hospitality in the form of recreation having an aggregate value of \$100 or more in any calendar year from any person who has entered into a contract or has proposed to enter into a contract with the city.

(c) This section shall not apply to a commercially reasonable loan or other commercial transaction in the ordinary course of business.";

And by renumbering sections accordingly;

Also on page 9, in line 38, by striking "25-4119f, 25-4145,"; in line 39, by striking "46-265" and inserting "46-237a";

On page 1, in the title, in line 1, by striking "commission"; in line 2, by striking "25-4119f, 25-"; in line 3, by striking "4145"; also in line 3, by striking "46-265" and inserting "46-237a"; and the bill be passed as amended.

Committee on **Elections** recommends **SB 145** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 145," as follows:

"HOUSE Substitute for SENATE BILL NO. 145

By Committee on Elections

"AN ACT concerning elections; relating to petitions; amending K.S.A. 2011 Supp. 25-205, 25-302a, 25-303, 25-3602, 25-4005, 25-4306, 25-4310 and 25-4320 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 145** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **SB 313** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 313," as follows:

"HOUSE Substitute for SENATE BILL NO. 313

By Committee on Federal and State Affairs

"AN ACT concerning abortion; relating to restrictions on late term abortions; relating to the woman's-right-to-know act; creating the no taxpayer funding for abortion act; amending K.S.A. 60-1901 and K.S.A. 2011 Supp. 40-2246, 65-6701, 65-6703, 65-6709, 65-6710, 76-3308, 79-32,117, 79-32,138, 79-32,182b, 79-32,195, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g."; and the substitute bill be passed.

(**H Sub for SB 313** was thereupon introduced and read by title.)

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Grant, in accordance with House Rule 1309, having not been reported to the House within ten legislative days after reference to Committee, **HB 2002** be withdrawn from Committee on **Federal and State Affairs** and be placed on that order of business, General Orders.

Also, on motion of Rep. Grant, pursuant to House Rule 2311 and in accordance with Subsection (b) of House Rule 1503, that the order on General Orders be changed to the first order of business to be considered on General Orders on March 21.

The Chief Clerk of the House is directed to cause this motion to be printed in the Calendar of March 21 under the order of business "Consideration of Motions and House Resolutions Offered on a Previous Day" as provided by House Rule 1309.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **H Sub for SB 17** from the Calendar under the heading General Orders and referral to Committee on Elections.

Also, the withdrawal of **SB 46** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **Sub SB 327; Sub SB 412**.

Announcing passage of **HB 2414, HB 2486, HB 2489, HB 2593, HB 2605, HB 2614, HB 2621, HB 2626, HB 2668, HB 2687, HB 2697, HB 2703**.

Announcing passage of **HB 2416**, as amended; **HB 2464**, as amended; **HB 2471**, as amended; **HB 2485**, as amended; **HB 2494**, as amended; **HB 2502**, as amended; **HB 2503**, as amended; **HB 2505**, as amended; **HB 2516**, as amended; **HB 2517**, as amended; **HB 2526**, as amended by **S Sub for HB 2526; HB 2563**, as amended; **HB 2596**, as amended by **S Sub for HB 2596; HB 2604**, as amended; **HB 2613**, as amended; **HB 2631**, as amended; **HB 2649**, as amended; **HB 2655**, as amended; **Sub HB 2706; HB 2730**, as amended by **S Sub for HB 2730**.

The Senate concurs in House amendments to **SB 310**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 327; Sub SB 412.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. **HR 6020**—

By Representatives Gregory, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION commemorating the Kansas Angels at Sunset Centennial.

WHEREAS, In 1912, the great state of Kansas distinguished itself by becoming the eighth state in the nation to permanently enact women's suffrage. When election day came on November 5, 1912, hundreds of women worked at the polls all day, and sat up far into the night for the returns. They felt their efforts were sufficiently rewarded when the final count showed 175,246 votes for the amendment and 159,197 against; and

WHEREAS, Kansas' action inspired and reinvigorated the national suffrage movement, which culminated in the passage of the 19th Amendment to the Constitution of the United States in 1920, assuring all women in the nation the right to vote; and

WHEREAS, 2012 will mark the 100th anniversary of women's suffrage in the state of Kansas; and

WHEREAS, The Kansas Angels at Sunset Centennial are to be recognized and given special emphasis for their continuing efforts and influence in the Kansas women's suffrage movement in the late 1800s. The Kansas Angels at Sunset Centennial worked diligently to achieve success even when it appeared that the sun would set on their efforts; and

WHEREAS, In commemorating the Kansas Angels at Sunset Centennial, Kansas will be celebrating the basic inclusive principles of democracy, the long and arduous road to achievement of women's suffrage, and the continually expanding roles of women in public and private life; and

Be it resolved by the House of Representatives of the State of Kansas: That we commend and recognize the diligent and instrumental efforts of the Kansas Angels at Sunset Centennial in their role in the women's suffrage movement in Kansas; and

Be it further resolved: That we recognize the centrality of women's suffrage to democratic values, express appreciation to those who have prepared public exhibits on women's suffrage in the state capitol and encourage all Kansans to visit, enjoy and learn from such displays and exhibits;

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Gregory.

HOUSE RESOLUTION No. **HR 6021**—

By Representative O'Hara, Alford, Arpke, Boman, Brown, Calloway, Collins, DeGraaf, Donohoe, Fawcett, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hedke, Hildabrand, Howell, Huebert, Kiegerl, Knox, Meigs, Mesa, Montgomery, O'Brien, Patton, Peck, Powell, Prescott, Rubin, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey and Weber

A RESOLUTION standing in opposition to the provisions in the National Defense authorization act for fiscal year 2012 which authorize military detention and trial of United States citizens and lawful residents in direct violation of the United States Constitution and the constitution of this state.

WHEREAS, On Dec. 31, 2011, President Barack Obama signed the Conference Report to House of Representative Bill H.R. 1540, the National Defense Authorization Act (NDAA), into law; and

WHEREAS, The NDAA contains provisions repugnant to, and destructive of, the constitutions and Bill of Rights of the United States of America, and this state, directly violating the U.S. Constitution's Article I, Section 9 [Habeas Suspension Clause], Article III, Section 2, Clause 2 [Trial by jury of all crimes except impeachment], Article III, Section 3 [Treason Clause], Article IV, Section 4 [guarantee of a Republican Form of government] the 4th Amendment [Protection against unreasonable search and seizure] 5th Amendment [Right to grand jury indictment and due process], 6th Amendment [Right to speedy and public trial], 8th Amendment [Protection against cruel

and unusual punishments], and 14th Amendment [Equal protection], as well as infringes on the entirety of the Bill of Rights and basic structure of the Constitution, making We the People insecure in the exercise of any of our Rights and Powers; and

WHEREAS, The United States Constitution and the constitution of this state are infringed and/or usurped by provisions in the NDAA which authorize the application of: military force (including assassination), indefinite military detention without trial, military trial, and rendition to foreign countries and entities of any person, including American citizens and lawful resident aliens, at the discretion of the President or a subordinate within the Department of Defense; and

WHEREAS, Granting the President the authority he would have over a foreign enemy on a "battlefield" for use against the American people is unconstitutional and a violation of the federal government's duty of allegiance to protect U.S. citizens anywhere in the world; and

WHEREAS, "Any person having knowledge of any treasonable project is bound to disclose it to the President, or to a United States judge, or to a Governor of a State or a State judge, or he is guilty of misprision of treason, and may be fined one thousand dollars and imprisoned for seven years." (Treatise on Law of the American Rebellion, page 20, Gard. Inst., 326; 1 U.S. St. L. 112, 119.); and

WHEREAS, Pursuant to the Oath of Office, all state and federal legislative, judicial and executive officers are sworn to protect and defend the U.S. Constitution from all enemies foreign and domestic; and

WHEREAS, Laws not passed in "pursuance" of the Constitution are null and void from their inception; and

WHEREAS, The above noted injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states, are nearly identical to many of the long train of abuses and usurpations that compelled our forefathers to take up arms and to separate from Great Britain, as enumerated in The unanimous Declaration of the thirteen united States of America, of July 4, 1776: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That for the above and forgoing reasons, this Legislature expresses its belief that the National Defense Authorization Act for fiscal year 2012 (NDAA) is unconstitutional in authorizing the President to use war powers, the "law of war," and/or martial law in the United States and its territories over any person, including citizens or lawful resident aliens of the United States not in the military forces, and over citizens or lawful resident aliens of the United States, who are not in the military forces, anywhere in the world; and

Be it further resolved: That the Legislature expresses its sense that all provisions of the NDAA which are unconstitutional, including as noted herein above, were and are null and void from their inception and are not enforceable in this state, and it is the express policy of this state's Legislature that no officer, employee, or agent of the state will implement, enforce or otherwise support, directly or indirectly, any of the above noted unconstitutional provisions, and that a violation of such policy will be deemed a violation of their oath of office and employment agreement, and will subject them to disciplinary action up to and including termination; and

Be it further resolved: That the Legislature recognizes its duty to interpose itself between unconstitutional usurpations by the federal government or its agents and the people of this state, as well as the duty to defend the unalienable natural rights of the

people, all of which is consistent with the 9th and 10th Amendments to the Constitution of the United States, and with our oaths to defend the Constitution of the United States and the constitution of this state against all enemies, foreign and domestic; and

Be it further resolved: That the Legislature directs the Congressional delegation of this state to commence immediately efforts to repeal the unconstitutional sections of the NDAA, to wit, sections 1021 and 1022, and any other section or provision which will have the same or substantially the same effect on the United States, its citizens, and lawful resident aliens; and

Be it further resolved: That the Legislature directs the Congressional delegation to introduce, support, and secure the passage of legislation which clearly states that Congress not only does not authorize, but in fact prohibits the use of military force, military detention, military trial, rendition, or any other power of the "law of war" against U.S. citizens and lawful resident aliens; and

Be it further resolved: That within 10 days from the passage hereof, a copy of this resolution shall be mailed, by certified mail with a return receipt, to each and every member of this state's Congressional delegation by the Chief Clerk of the House of Representatives, and, in compliance with federal law regarding acts of "misprision of treason," (page 20, Gard. Inst., 326; 1 U.S. St. L. 112, 119.), to the governor and Supreme Court Chief Justice of this state to effect notification of a possible "conspiracy against the United States," to wit: the attempt by Congress and the President to arbitrarily and indefinitely suspend the Bill of Rights outside the requirement of an invasion or rebellion as required by U.S. Constitution, Article I, Section 9, Clause 3, which states: "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.," and by subjecting the American people to the "law of war," including military force, detention, and trial, and/or the institution of martial law, rather than under the laws of the United States, pursuant to the detention and trial requirements of U.S. Constitution, Article III, and of the Fourth, Fifth, Sixth, and Eighth Amendments; and

Be it further resolved: That the House of Representatives, recognizing its oath-bound duty to defend the Constitution of the United States and the constitution of this state, to secure the people's unalienable natural rights to "Life, Liberty, and the pursuit of Happiness," as alliterated in the Declaration of Independence of July 4, 1776, adopts this resolution.

REPORT ON ENGROSSED BILLS

HB 2018, HB 2425; Sub HB 2709 reported correctly engrossed March 20, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Wednesday, March 21, 2012.

Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 21, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

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

Rep. Bollier was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Steve Spencer, pastor, Augusta United Methodist Church, and guest of Rep. Crum:

Loving and gracious God, thank you for the blessing of this day, for your presence and activity in our lives, and for overall health and well being.

Lord, you have blessed us to live in a land of promise—where we can worship you freely, govern ourselves justly, and live out our days in peace.

You have blessed us with men and women set apart to lead your people and govern your land. I ask your blessing on their lives, and on their families, who also sacrifice, so that these leaders can serve in this chamber.

I pray, Lord, that as they face the challenges and stresses of this day, as competing interests and needs may arise, that they seek your wisdom and guidance to choose what is best for the people of Kansas. May they find confidence to lead our state guided by the values and principals established in your Word and lived out by your Son.

Lord, in the expanse of time, our days here are but a few. May the time we do have be marked by seeking justice, loving mercy and walking humbly with you. Hear now this prayer as it is prayed in the name of your son, Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. McCray-Miller.

Kansas Trivia Question – What two rivers form the Kaw?

Answer: The Republican and the Smoky Hill Rivers.

POINT OF PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Pottorff are spread upon the Journal:

For over 85 years, Junior League of Wichita has served the needs of the community through numerous service projects and volunteer hours. A delicious part of the Junior League legacy are their cookbooks. Proceeds from their newest cookbook, Pinches and Dashes, will put their financial and volunteer resources to work on the substantial problem of child abuse in our community.

Help me welcome members of the Junior League of Wichita who are in the gallery.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Agriculture and Natural Resources: **SB 412**.

Health and Human Services: **Sub SB 327**.

Veterans, Military and Homeland Security: **HR 6021**.

MESSAGES FROM THE GOVERNOR

HB 2459, HB 2535 approved on March 20, 2012.

COMMUNICATIONS FROM STATE OFFICERS

From David J. King, Chair, Kansas Commission on Judicial Qualifications, 2011 Annual Report.

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

MESSAGE FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 258**, requests a conference and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 300**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2413** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2427** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2432** and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2534** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 258**.

Representative O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 300**.

Representative O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as conferees on the part of the House.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

The motion of Rep. Grant, in accordance with subsection (b) of House Rule 1309, that **HB 2002** be withdrawn from the Committee on Federal and State Affairs and placed on the Calendar under the order of business General Orders and to be the first bill to be considered on March 21, 2012, was considered.

The motion did not prevail.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2766, AN ACT concerning the arts; creating the creative arts industries commission within the department of commerce; transferring the powers, functions and duties from the Kansas arts commission and the Kansas film services commission to the creative arts industries commission; abolishing the Kansas arts commission and the Kansas film services commission; amending K.S.A. 46-1801, 74-7901 and 75-2249 and K.S.A. 2011 Supp. 8-1,161, 73-2502, 73-2504, 75-2269 and 75-5072 and repealing the existing sections; also repealing K.S.A. 74-5202, 74-5203, 74-5204, 74-5205 and 74-5206 and K.S.A. 2011 Supp. 74-9201 and 74-9202, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfroid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins, Flaharty, Kiegerl, Schwab.

Present but not voting: None.

Absent or not voting: Cassidy, Crum, Knox.

The bill passed, as amended.

HB 2773, AN ACT concerning school districts; authorizing the expenditure of certain unencumbered funds; amending K.S.A. 2011 Supp. 72-965, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-8237, 72-8250, 72-9509 and 72-9609 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 9; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Finney, Flaharty, Kelly, Kuether, Lane, Peck, Tietze, Victors.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The bill passed, as amended.

H Sub SB 28, AN ACT concerning school districts; relating to the adequacy of the state's provision for finance of the educational interests of the state, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 46; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Billinger, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Pottorff, Proehl, Roth, Ruiz, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The substitute bill passed.

H Sub for SB 114, AN ACT concerning counties; relating to certain solid waste disposal areas, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 19; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Carlson, Collins, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, Wolfe Moore, Worley.

Nays: Bollier, Calloway, Carlin, Colloton, Dillmore, Flaharty, Henderson, Kuether, Lane, LeDoux, Mah, Mast, Meier, Rubin, Slattery, Spalding, Swanson, Winn, K. Wolf.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The substitute bill passed, as amended.

SB 155, AN ACT concerning school districts; relating to the assessed valuation of certain school districts, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 31; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burroughs, Calloway, Carlson, Collins, Colloton, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Ward, Weber, Wetta, B. Wolf, K. Wolf, Worley.

Nays: Arpke, Ballard, Brown, Burgess, Carlin, Dillmore, Feuerborn, Flaharty, Frownfelter, S. Gatewood, Gordon, Grant, Henderson, Henry, Hildabrand, Johnson, Kuether, Lane, LeDoux, Loganbill, McCray-Miller, Phelps, Ruiz, Slattery, Tietze, Trimmer, Tyson, Victors, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cassidy, Crum.

The bill passed, as amended.

H Sub for Sub SB 159, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of release; conditions for persons on probation; searches of parolees and persons on postrelease supervision; conditions for sex offenders; amending K.S.A. 2011 Supp. 21-6607 and 22-3717 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Gordon, Grosserode, Hildabrand, McCray-Miller, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

H Sub for SB 160, AN ACT concerning real property; relating to trespass and liability; exceptions; amending K.S.A. 58-3201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Landwehr, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Flaharty, Kuether, Lane, Winn.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

SB 207, AN ACT concerning counties; relating to acceptance of credit and debit cards, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brunk, DeGraaf, Fawcett, Kiegerl, Rhoades.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 250, AN ACT concerning health care; pertaining to the continuation of health insurance for firefighters; relating to the interstate health care compact, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Collins, Donohoe, Mesa, O'Hara, Schwab.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 257, AN ACT concerning school districts; relating to school finance; amending K.S.A. 2011 Supp. 72-6410, 72-6415b, 72-6433, 72-6433d, 72-6435, 72-6449, and 72-6451 and repealing the existing sections. Also repealing K.S.A. 2011 Supp. 72-6442b, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Billinger, Collins, Dillmore, Kelly, Patton.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 262, AN ACT concerning children; relating to grandparent custody, visitation and residency, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 273, AN ACT concerning costs for examination of an insurance company; amending K.S.A. 2011 Supp. 40-223 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Johnson, Kelly, Kerschen, Kleebe, Knox, Kuether, Lane, Loganbill, McCray-Miller, McLeland, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Brunk, Collins, DeGraaf, Donohoe, S. Gatewood, Gregory, Grosserode, Hildabrand, Howell, Huebert, Kelley, Kiegerl, Kinzer, Landwehr, LeDoux, Mah, Mast, Meigs, O'Hara, Rhoades, Scapa, Schwab, Smith, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

H Sub for SB 287, AN ACT concerning credit unions; relating to credit union insurance; amending K.S.A. 17-2204, 17-2234 and 17-2246 and repealing the existing sections; also repealing K.S.A. 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266 and 17-2267, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: LeDoux.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

SB 304, AN ACT concerning domestic relations; enacting the batterer intervention program certification act; case management; amending K.S.A. 2011 Supp. 21-5414, 21-6604, 22-4616 and 23-3508 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ryckman.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

H Sub for SB 315, AN ACT concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 24; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Lane, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, Carlson, Collins, Donohoe, D. Gatewood, S. Gatewood, Gregory, Grosserode, Hildabrand, Huebert, Kelley, Kiegerl, Kinzer, Landwehr, LeDoux, Mah, O'Hara, Patton, Peck, Rhoades, Shultz, Tyson, Victors.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

SB 320, AN ACT concerning the revised Kansas juvenile justice code; relating to probable cause determinations; amending K.S.A. 2011 Supp. 38-2331, 38-2343 and 38-2354 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 322, AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 30; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Boman, Brown, Brunk, Carlin, Dillmore, Feuerborn, Flaharty, D.

Gatewood, S. Gatewood, Grant, Gregory, Grosserode, Hildabrand, Huebert, Kelley, Kiegerl, Landwehr, Lane, LeDoux, Meigs, Moxley, O'Hara, Peck, Rhoades, Scapa, Schwab, Schwartz, Tyson, Vickrey.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

SB 330, AN ACT concerning civil procedure; relating to malpractice liability screening panels; amending K.S.A. 2011 Supp. 60-3502, 60-3503, 60-3505, 65-4901, 65-4902 and 65-4904 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

H Sub for SB 341, AN ACT concerning governmental organization; relating to consolidation; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904, 12-3909 and 19-205 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz,

Siegfreid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Carlin, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill passed.

H Sub for SB 344, AN ACT concerning congressional districts; providing for the redistricting thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142, was considered on final action.

On roll call, the vote was: Yeas 48; Nays 76; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arpke, Ballard, Bethell, Bowers, Brookens, Burroughs, Carlin, Carlson, Collins, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Henderson, Henry, Hill, Johnson, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Roth, Ruiz, Shultz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Aurand, Billinger, Bollier, Boman, Brown, Bruchman, Brunk, Burgess, Calloway, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Cassidy.

The substitute bill did not pass.

SB 345, AN ACT enacting the Kansas appraisal management company registration act, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B.

Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Gregory, Grosserode, Hildabrand, Landwehr, LeDoux, Rubin, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

SB 366, AN ACT concerning civil procedure; relating to attachment and garnishment; amending K.S.A. 60-733 and 61-3506 and K.S.A. 2011 Supp. 60-736, 60-738, 60-739, 61-3509, 61-3511 and 61-3512 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Gordon, Tyson.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 367, AN ACT concerning juries; relating to jury lists; jury commissioners; jury service; amending K.S.A. 43-156 and 43-162 and K.S.A. 2011 Supp. 43-158 and 79-3234 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3234b, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades,

Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Kuether, Victors, Ward.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed, as amended.

SB 417, AN ACT concerning economic development; relating to the powers, duties and functions transferred to the secretary of commerce from Kansas, Inc.; making changes in references and transfers to state officers and agencies with respect thereto; amending K.S.A. 74-5007a, 74-50,101, 74-8009a, 74-8013, 74-8015, 74-8016, 74-8204, 74-8310 and 74-9306 and K.S.A. 2011 Supp. 12-17,169, 12-17,177, 74-5001a, 74-5049, 74-5089, 74-5095, 74-50,151, 74-8004, 74-8006, 74-8010, 74-8106, 74-8111, 74-8136, 74-8317, 74-8405, 74-99b09, 74-99c07, 74-99e02, 75-2935, 75-2935b, 75-3702k, 75-3702l, 75-3702m and 75-3702n and repealing the existing sections; also repealing K.S.A. 74-8003, 74-8011, 74-8012 and 74-8014 and K.S.A. 2011 Supp. 74-50,134, 74-8001, 74-8002, 74-8005, 74-8007, 74-8102 and 74-99c10, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

SB 422, AN ACT concerning courts; relating to judges pro tem; amending K.S.A. 20-310a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico,

Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy.

The bill passed.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rhoades, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2761**; **SB 403** be passed.

SCR 1616 be adopted.

Committee report recommending a substitute bill to **H Sub for Sub SB 148** be adopted; and the substitute bill be passed.

Committee report to **SB 306** be adopted; and the bill be passed as amended.

Committee report to **Sub SB 307** be adopted; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 74** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for SB 79** be adopted; also on motion of Rep. Slattery to amend, Rep. Smith requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. Slattery to amend **H Sub for SB 79** on page 2, following line 12, by inserting:

"Sec. 6. (a) The legislature hereby declares the following:

(1) The founders of the republic and the signers of the United States constitution clearly and emphatically intended freedom of speech to mean freedom to communicate with and by naturally born persons either directly or through the free press;

(2) corporations are entirely human-made legal fictions created by the express permission of the citizens of this country and its government;

(3) corporations are not mentioned in the United States constitution, have never been granted constitutional rights nor have ever been granted authority that exceeds that of the citizens of this country; and

(4) corporations should not have the same first amendment rights as naturally born persons.

(b) Except as expressly provided by law, no corporation shall be deemed to hold the

same rights and privileges possessed by natural persons.";

And by renumbering sections accordingly;

Roll call was demanded.

On roll call, the vote was: Yeas 46; Nays 74; Present but not voting: 0; Absent or not voton: 5.

Yeas: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Henderson, Henry, Hill, Huebert, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Roth, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, Victors, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Cassidy, Gordon, Grant, Landwehr, Ward.

The motion of Rep. Slattery did not prevail; and **H Sub for SB 79** be passed.

Committee report to **Sub SB 283** be adopted; also, on motion of Rep. Colloton to amend, the motion did not prevail; and the substitute bill be passed as amended.

Committee report to **HB 2741** be adopted; also, on motion of Kiegerl to amend, Rep. Brookens requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Kiegerl to amend **HB 2741**, which was withdrawn; and the bill be passed as amended.

Committee report to **SB 394** be adopted; also, on motion of Rep. Colloton be amended on page 2, in line 3, by striking "member" and inserting "members"; also in line 3, by striking "attorney general" and inserting "president of the senate and the speaker of the house of representatives"; in line 4, by striking "chairperson" and inserting "co-chairs"; also in line 4, after the period by inserting "The secretary of corrections shall serve as vice-chairperson."; in line 5, by striking "the chairperson" and inserting "either co-chair";

Also, on motion of Rep. O'Brien, **SB 394** be amended on page 3, following line 29, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 75-7c05 is hereby amended to read as follows: 75-7c05.

(a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is

the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

(2) a statement that the applicant is in compliance with criteria contained within K.S.A. 2011 Supp. 75-7c04, and amendments thereto;

(3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;

(4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2011 Supp. 21-5903, and amendments thereto; and

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) The applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

(1) A completed application described in subsection (a);

(2) ~~except as provided by subsection (g),~~ a nonrefundable license fee of \$132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general;

(3) a photocopy of a certificate or an affidavit or document as described in subsection (b) of K.S.A. 2011 Supp. 75-7c04, and amendments thereto, or if applicable, of a license to carry a firearm as described in subsection (d) of K.S.A. 2011 Supp. 75-7c03, and amendments thereto; and

(4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c) (1) The sheriff, upon receipt of the items listed in subsection (b) of this section, shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general a copy of the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 2011 Supp. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall

be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

(1) Issue the license and certify the issuance to the department of revenue; or
(2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 2011 Supp. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee of \$75, which fee shall be in the form of two cashier checks or money orders, \$25 payable to the sheriff of the county where the applicant resides and \$50 payable to the attorney general, to be forwarded by the sheriff to the attorney general as provided by subsection (b)(2); (B) exempt from the required completion of a weapons handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided by subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than

one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirements of this section.";

And by renumbering sections accordingly;

Also on page 3, in line 30, after "Supp." by inserting "75-7c05 and"; also in line 30, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "certain offenders" and inserting "corrections and corrections officers"; in line 3, after "Supp." by inserting "75-7c05 and"; in line 4, by striking "section"; and inserting "sections";

Also, on motion of Hedke to amend **SB 394**, Rep. McCray-Miller requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Hedke, and **SB 394** be amended on page 1, following line 6, by inserting:

"New Section 1. (a) Notwithstanding any provision of the prison-made goods act of Kansas to the contrary, the secretary shall not establish or maintain a home building program which manufacturers or produces housing units which would compete with the:

(1) (A) Manufactured homes or modular homes manufactured, assembled or sold by manufactured home manufacturers; or

(B) manufactured homes or modular homes sold by manufactured home dealers; or

(2) (A) Modular homes manufactured, assembled or sold by modular home manufacturers; or

(B) modular homes sold by modular home dealers.

(b) As used in this section:

(1) "Manufactured home" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto;

(2) "manufactured home dealer" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto;

(3) "manufactured home manufacturer" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto; and

(4) "modular home" has the meaning ascribed to such term by K.S.A. 58-4202, and amendments thereto.

(5) "secretary" means the secretary of corrections.

(6) "Vocational building program" means the vocational building program operated by the secretary to provide individual, freestanding buildings, not to exceed 1,000 square feet in size, to state agencies for use by such agencies.

(c) The provisions of this section shall not apply to a vocational building program.

(d) This section shall be a part of and supplemental to the prison-made goods act of Kansas.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "corrections;" by inserting "relating to the prison-made goods act; prohibiting the manufacture or production of manufactured homes or modular homes;"

Also, on motion of Rep. Knox to amend **SB 394**, Rep. Loganbill requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment

germane. The question reverted back to the motion of Rep. Knox to amend **SB 394** on page 3, following line 29, by inserting:

"New Sec. 3. (a) The carrying of a concealed handgun as authorized by the personal and family protection act shall not be prohibited in state or municipal buildings unless such building has adequate security measures to ensure that no weapons are permitted to be carried into such building.

(b) No state agency or municipality shall prohibit an employee who is licensed to carry a concealed handgun under the provisions of the personal and family protection act from carrying such concealed handgun at the employee's work place unless the building has adequate security measures and is properly posted prohibiting concealed carry.

(c) It shall not be a crime for a person to carry a concealed handgun into such building so long as that person is licensed to carry a concealed handgun under the provisions of the personal and family protection act and has authority to enter through a restricted access entrance into such building which provides adequate security measures and is properly posted prohibiting concealed carry.

(d) Nothing in this act shall prohibit a state agency or municipality from instituting employee policies restricting concealed carry of a handgun by a person who is licensed to carry a concealed handgun under the provisions of the personal and family protection act in a state or municipal building which provides adequate security measures and is properly posted prohibiting concealed carry.

(e) Subject to provisions of subsection (f), nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a concealed handgun by any person on such premises.

(f) Any state or municipal building which contains both public access entrances and restricted access entrances shall provide adequate security at the public access entrances in order to prohibit the carrying of a concealed handgun in such public areas.

(g) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned medical care facility as defined in K.S.A. 65-425, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(h) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(i) A state agency or municipality which provides adequate security in a public building and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building as authorized by the personal and family protection act, such state agency or municipality shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(j) A state agency or municipality which does not provide adequate security in a public building and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun

concerning acts or omissions regarding such handguns.

(k) The governing body or the chief administrative officer, if no governing body exists, of a postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt the institution from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

(l) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building by members of the public.

(2) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

(3) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(4) "State" means as the term is defined in K.S.A. 75-6102, and amendments thereto.

(5) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(6) "Weapon" means weapons described in K.S.A. 2011 Supp. 21-6301, and amendments thereto.

(m) This section shall be a part of and supplemental to the personal and family protection act.

Sec. 4. K.S.A. 2011 Supp. 75-7c10 is hereby amended to read as follows: 75-7c10.

(a) Provided that the premises are conspicuously posted in accordance with rules and regulations adopted by the attorney general as premises where carrying a concealed handgun is prohibited, and subject to provisions of section 3, and amendments thereto, dealing with state agencies and municipalities, no license issued pursuant to or recognized by this act shall authorize the licensee to carry a concealed handgun into the building of:

(1) Any place where an activity declared a common nuisance by K.S.A. 22-3901, and amendments thereto, is maintained;

(2) any police, sheriff or highway patrol station;

(3) any detention facility, prison or jail;

(4) any courthouse, except that nothing in this section would preclude a judge from carrying a concealed handgun or determining who may carry a concealed handgun in the judge's courtroom;

(5) any polling place on the day an election is held;

(6) any state office;

(7) any facility hosting an athletic event not related to or involving firearms which is sponsored by a private or public elementary or secondary school or any private or public institution of postsecondary education;

(8) any facility hosting a professional athletic event not related to or involving firearms;

(9) any drinking establishment as defined by K.S.A. 41-2601, and amendments thereto;

(10) any elementary or secondary school, attendance center, administrative office, services center or other facility;

(11) any community college, college or university ;

(12) any child exchange and visitation center provided for in K.S.A. 75-720, and amendments thereto;

(13) any community mental health center organized pursuant to K.S.A. 19-4001 *et seq.*, and amendments thereto; any mental health clinic organized pursuant to K.S.A. 65-211 *et seq.*, and amendments thereto; any psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto; or a state psychiatric hospital, as follows: Larned state hospital, Osawatomie state hospital or Rainbow mental health facility;

(14) any public library operated by the state;

(15) any day care home or group day care home, as defined in Kansas administrative regulation 28-4-113, or any preschool or childcare center, as defined in Kansas administrative regulation 28-4-420; or

(16) any place of worship.

(b)(1) Any private entity which provides adequate security in a private building or facility and which properly posts a sign prohibiting the carrying of a concealed handgun on the premises of such building or facility as authorized by the personal and family protection act, such private entity shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

(2) Any private entity which does not provide adequate security in a private building or facility and which allows the carrying of a concealed handgun as authorized by the personal and family protection act shall not be liable for any wrongful act or omission relating to actions of persons licensed to carry a concealed handgun concerning acts or omissions regarding such handguns.

~~(b)~~(c) Subject to provisions of section 3, and amendments thereto, nothing in this act shall be construed to prevent:

(1) Any public or private employer from restricting or prohibiting by personnel policies persons licensed under this act from carrying a concealed handgun while on the premises of the employer's business or while engaged in the duties of the person's employment by the employer, except that no employer may prohibit possession of a handgun in a private means of conveyance, even if parked on the employer's premises; or

(2) any private business or city, county or political subdivision from restricting or prohibiting persons licensed or recognized under this act from carrying a concealed handgun within a building or buildings of such entity, provided that the premises are posted in accordance with rules and regulations adopted by the attorney general pursuant to subsection (f), as premises where carrying a concealed handgun is prohibited.

~~(e)~~(d) (1) It shall be a violation of this section to carry a concealed handgun in violation of any restriction or prohibition allowed by subsection (a) or (b) if the premises are posted in accordance with rules and regulations adopted by the attorney

general pursuant to subsection (f). Any person who violates this section shall be guilty of a misdemeanor punishable by a fine of: (A) Not more than \$50 for the first offense; or (B) not more than \$100 for the second offense. Any third or subsequent offense is a class B misdemeanor.

(2) Notwithstanding the provisions of subsection (a) or (b), it is not a violation of this section for the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a handgun within any of the buildings described in subsection (a) or (b), subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person who is not in compliance with K.S.A. 2011 Supp. 75-7c19, and amendments thereto.

~~(d)~~(e) For the purposes of this section, "building" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

~~(e)~~(f) Nothing in this act shall be construed to authorize the carrying or possession of a handgun where prohibited by federal law.

~~(f)~~(g) The attorney general shall adopt rules and regulations prescribing the location, content, size and other characteristics of signs to be posted on premises where carrying a concealed handgun is prohibited pursuant to subsections (a) and (b). Such regulations shall prescribe, at a minimum, that:

- (1) The signs be posted at all exterior entrances to the prohibited buildings;
- (2) they be posted at eye level of adults using the entrance and not more than 12 inches to the right or left of such entrance;
- (3) the signs not be obstructed or altered in any way; and
- (4) signs which become illegible for any reason be immediately replaced.

Sec. 5. K.S.A. 2011 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm on the grounds in any of the following places:

- (1) Within any building located within the capitol complex;
- (2) within the governor's residence;
- (3) on the grounds of or in any building on the grounds of the governor's residence;
- (4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or
- (5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

(b) Violation of this section is a class A misdemeanor.

(c) This section shall not apply to:

- (1) A commissioned law enforcement officer;
- (2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;
- (3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
- (4) a member of the military of this state or the United States engaged in the

performance of duties; or

(5) a person with a license issued pursuant to or recognized under K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto, except in buildings posted in accordance with K.S.A. 2011 Supp. 75-7c10, and amendments thereto, and in the areas specified in subsections (a)(2) and (a)(3).

(d) It is not a violation of this section for the:

(1) Governor, the governor's immediate family, or specifically authorized guest of the governor to possess a firearm within the governor's residence or on the grounds of or in any building on the grounds of the governor's residence; or

(2) United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a firearm within any county courthouse and court-related facility, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2011 Supp. 75-7c19, and amendments thereto.

(e) It is not a violation of this section for a person to possess a firearm as authorized under the personal and family protection act.

(f) Notwithstanding the provisions of this section, any county may elect by passage of a resolution that the provisions of subsection (d)(2) shall not apply to such county's courthouse or court-related facilities if such:

(1) Facilities have adequate security measures to ensure that no weapons are permitted to be carried into such facilities;

(2) facilities have adequate measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options;

(3) county also has a policy or regulation requiring all law enforcement officers to secure and store such officer's firearm upon entering the courthouse or court-related facility. Such policy or regulation may provide that it does not apply to court security or sheriff's office personnel for such county; and

(4) facilities have a sign conspicuously posted at each entryway into such facility stating that the provisions of subsection (d)(2) do not apply to such facility.

~~(g)~~ (g) As used in this section:

(1) "Adequate security measures" means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into the facility, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes;

(2) "possession" means having joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and right of control; and

(3) "capitol complex" means the same as in K.S.A. 75-4514, and amendments thereto.

~~(g)~~ (h) For the purposes of subsection (a)(1), (a)(4) and (a)(5), "building" and "courthouse" shall not include any structure, or any area of any structure, designated for

the parking of motor vehicles.";

And by renumbering sections accordingly;

Also on page 3, in line 30, after "Supp." by inserting "21-6309, 75-7c10 and"; also in line 30, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "the secretary of corrections; establishing the justice"; by striking all in line 2; in line 3, by striking "certain offenders" and inserting "corrections, correction officers and concealed handguns"; also in line 3, after "Supp." by inserting "21-6309, 75-7c10 and"; in line 4, by striking "section"; and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 68; Nays 52; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, DeGraaf, Denning, Donohoe, Fawcett, Frownfelter, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kinzer, Kleebe, Knox, Landwehr, Lane, LeDoux, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, Wetta, B. Wolf.

Nays: Ballard, Bethell, Brookens, Brown, Burroughs, Carlin, Colloton, Crum, Davis, Dillmore, Feuerborn, Finney, Flaharty, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kelly, Kerschen, Kuether, Loganbill, Mah, McCray-Miller, Moxley, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Kiegerl, O'Neal, Peterson.

The motion of Rep. Knox prevailed; and **SB 394** be passed as amended.

Committee report to **SB 301** be adopted; and the bill be passed as amended.

Committee report to **SB 413** be adopted; and the bill be passed as amended.

Committee report to **SB 424** be adopted; and the bill be passed as amended.

Committee report to **SB 438** be adopted; also, roll call was demanded on motion of Rep. Frownfelter to amend **SB 438** on page 1, following line 5, by inserting:

"New Section 1. Sections 1 through 7, and amendments thereto, shall be known and may be cited as the fair consideration of the unemployed act.

New Sec. 2. No employer, employment agency or labor organization shall inquire into or shall use a job applicant's unemployment status or gap in employment history as a basis to refuse to hire or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure, or terms, privileges, or conditions of employment.

New Sec. 3. No employer, employment agency or labor organization, including any agent or employee thereof, shall publish or cause to be published in any newspaper, magazine or other periodical, broadcast or cause to be broadcast by radio or television, or post electronically on the internet an employment advertisement that includes any of the following:

(a) A statement or provision stating or suggesting that current employment is a job

qualification.

(b) A statement or provision stating or suggesting that an application from a job applicant who is currently unemployed will not be considered or reviewed and the applicant will not be considered for an interview or be hired.

(c) A provision stating or suggesting that only applications for employment from applicants who are currently employed will be considered or reviewed.

New Sec. 4. The provisions of sections 2 and 3, and amendments thereto, shall not prohibit an employer, employment agency or labor organization from:

(1) Granting a preference in employment decisions to current employees of such employer, employment agency or labor organization; or

(2) requiring previous experience that is relevant to the employment.

New Sec. 5. (a) Any employer, employment agency or labor organization, including any agent or employee thereof, that violates any provision of this act shall incur, in addition to any other penalty provided by law, a civil penalty in an amount of up to \$5,000 for the first violation and, up to \$10,000 for each subsequent violation.

(b) The secretary, upon a finding that any employer, employment agency or labor organization, including any agent or employee thereof, has violated any provision of this act, and amendments thereto, may impose a penalty within the limits provided in this section, which penalty shall constitute an actual and substantial economic deterrent to the violation for which it is assessed.

(c) No penalty shall be imposed pursuant to this section except upon the written order of the secretary to the employer, employment agency or labor organization, including any agent or employee thereof, who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of such employer, employment agency or labor organization, including any agent or employee thereof, to appeal to a hearing before the secretary. Within 15 days after service of the order, any such employer, employment agency or labor organization, including any agent or employee thereof, may appeal such order by making written request to the secretary for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any action of the secretary pursuant to subsection (c) is subject to review in accordance with the Kansas judicial review act.

New Sec. 6. (a) This act shall be administered by the secretary.

(b) The secretary is hereby authorized to adopt rules and regulations necessary to implement the provisions of this act. Such rules and regulations shall be adopted and become effective on or before July 1, 2013.

(c) Any person who believes that any employer, employment agency or labor organization, including any agent or employee thereof, has violated any provision of this section, may file a complaint with the secretary. Such complaint shall be in writing and signed by the individual filing the complaint. The secretary shall review and may investigate any such complaints. If, after an investigation, the secretary determines that a violation of this section has occurred, the secretary shall notify the employer, employment agency or labor organization, including any agent or employee thereof, who has been found to be in violation of this section that such employer, employment agency or labor organization, including any agent or employee thereof, has been found to be in violation of this section and subject to a civil penalty pursuant to section 5, and amendments thereto.

New Sec. 7. For the purposes of sections 1 through 7, and amendments thereto:

(a) "Employer" shall have the meaning ascribed to such term in K.S.A. 44-313, and amendments thereto.

(b) "Employment agency" shall have the meaning ascribed to the term "private employment agency" in K.S.A. 44-401, and amendments thereto.

(c) "Labor organization" shall have the meaning ascribed to such term in K.S.A. 44-802, and amendments thereto.

(d) "Gap in employment" means a period of time between periods of employment during which a person was not employed.

(e) "Secretary" means the secretary of labor.

(f) "Unemployment" means the status of being unemployed or not working for an employer.

New Sec. 8. (a) Except as provided in subsection (b), no employer, labor organization or employment agency shall use an applicant's or employee's consumer report in determining whether to:

(1) Deny employment to the applicant;

(2) discharge the employee; or

(3) determine compensation or the terms, conditions or privileges of employment.

(b) (1) An employer labor organization or employment agency may request or use an applicant's or employee's consumer report if:

(A) The applicant has received an offer of employment; and

(B) the consumer report will be used for a purpose other than a purpose prohibited by subsection (a); or

(2) the employer, labor organization or employment agency has a *bona fide* purpose for requesting or using information in the consumer report that is:

(A) Substantially job-related; and

(B) disclosed in writing to the employee or applicant.

(c) For the purposes of this subsection, a position for which an employer, labor organization or employment agency has a *bona fide* purpose that is substantially job-related for requesting or using information in a consumer report includes a position that:

(1) Is a law enforcement officer;

(2) Is managerial and involves setting the direction or control of a business, or a department, division, unit or agency of a business;

(3) involves access to personal information of a customer, employee or employer, except for personal information customarily provided in a retail transaction;

(4) involves a fiduciary responsibility to the employer, including the authority to issue payments, collect debts, transfer money or enter into contracts; and

(5) has access to information that:

(A) Is a trade secret; or

(B) contains other confidential business information.

(d) This section shall not be construed to prohibit an employer, labor organization or employment agency from performing an employment-related background investigation that:

(1) Includes use of a consumer report or investigative consumer report;

(2) is authorized under the federal fair credit reporting act; and

(3) does not involve investigation of credit information.

(e) The provisions of this section shall not apply to an employer, labor organization

or employment agency that is:

(1) Required to inquire into an applicant's or employee's credit report or credit history under federal law or any provision of the laws of this state law for the purpose of employment;

(2) a financial institution as such term is defined in K.S.A. 16-117, and amendments thereto; or

(3) an entity, or an affiliate of the entity, that is registered as an investment advisor with the United States securities and exchange commission.

New Sec. 9. Whenever an employer, labor organization or employment agency uses or relies upon an applicant's or employee's credit information to make an adverse employment decision as specified in subsection (a) of section 1, and amendments thereto, such employer, labor organization or employment agency shall notify in writing such applicant or employee that the adverse action was taken. The notification required by this section shall be made within 10 days of the decision to take such adverse action and shall be made in the same manner as the applicant's or employee's application was received.

New Sec. 10. A landlord may use a person's consumer report only for the purpose of assessing such person's payment history with prior landlords. If a landlord relies upon a person's consumer report to reject such person as a prospective tenant, such landlord shall disclose that fact in writing to the prospective tenant within 10 days of such rejection.

New Sec. 11. (a) Any person whose credit information has been obtained or used contrary to the provisions of this act may file a complaint with the secretary of labor. The complaint shall contain such information as required by the secretary of labor as specified in rules and regulations.

(b) Upon receipt of a complaint, the secretary shall investigate the complaint promptly. If the secretary determines that the employer, labor organization or employment agency has willfully or negligently violated subsection (a), the secretary shall try to resolve the matter informally.

(c) On or before the first day of the legislative session, the secretary of labor shall submit a report to the governor and the chairperson of the senate standing committee on commerce and the house standing committee on commerce and economic development a report on the implementation of this act including:

(1) The number of complaints received under this act during the preceding calendar year;

(2) the number of complaints investigated under this act during the preceding calendar year;

(3) the number of complaints resolved under this act during the preceding calendar year; and

(4) such other information as the secretary deems appropriate.

(d) The secretary of labor shall adopt rules and regulations necessary to administer this act. Such rules and regulations shall be adopted in accordance with the rules and regulations filing act within one year after the effective date of this act.

New Sec. 12. As used in sections 8 through 13, and amendments thereto:

(a) "Consumer" shall have the meaning as defined in K.S.A. 50-702, and amendments thereto.

(b) "Consumer report" shall have the meaning as defined in K.S.A. 50-702, and

amendments thereto.

(c) "Employer" shall have the meaning as defined in K.S.A. 79-3295, and amendments thereto.

(d) "Employment agency" shall have the meaning as defined in K.S.A. 44-401, and amendments thereto.

(e) "Financial institution" shall have the meaning as defined in K.S.A. 16-117, and amendments thereto.

(f) "Investigative consumer report" shall have the meaning as defined in K.S.A. 50-702, and amendments thereto.

(g) "Labor organization" shall have the meaning as defined in K.S.A. 44-802, and amendments thereto.

(h) "Law enforcement officer" shall have the meaning as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto.

(i) "Personal information" shall have the meaning as defined in K.S.A. 2011 Supp. 50-7a01, and amendments thereto.

(j) "Trade secret" shall have the meaning as defined in K.S.A. 60-3320, and amendments thereto.

New Sec. 13. Sections 8 through 13, and amendments thereto, shall be known and may be cited as the fair use of credit history act.

Sec. 14. K.S.A. 50-703 is hereby amended to read as follows: 50-703. A consumer reporting agency may furnish a consumer report under the following circumstances and no other:

(a) in response to the order of a court having jurisdiction to issue such an order;
 (b) in accordance with the written instructions of the consumer to whom it relates;
 and

(c) to a person which it has reason to believe;

(1) Intends to use the information in connection with a credit transaction involving the consumer on whom the information is to be furnished and involving the extension of credit to, or review or collection of an account of, the consumer; ~~or~~

(2) intends to use the information for employment purposes; ~~or~~

(3) intends to use the information in connection with the underwriting of insurance involving the consumer; ~~or~~

(4) intends to use the information in connection with a determination of the consumer's eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant's financial responsibility or status; ~~or~~

(5) otherwise has a legitimate business need for the information in connection with a business transaction involving the consumer; or

(6) intends to use the information as authorized by the fair use of credit history act.";

And by renumbering remaining sections accordingly;

On page 1, in line 26, after "K.S.A." by inserting "50-703 and K.S.A."; also in line 26, by striking "is" and inserting "are";

Also on page 1, in the title, in line 1, after "concerning" by inserting "employment; pertaining to"; in line 2, after the semicolon by inserting "pertaining to the use of credit information in certain employment decisions; pertaining to the use of employment history in certain employment decisions;"; also in line 2, after "K.S.A." by inserting

"50-703 and K.S.A.":

On roll call, the vote was: Yeas 31; Nays 84; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Mah, McCray-Miller, Meier, Pauls, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, LeDoux, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Bethell, Bollier, Cassidy, Goico, Hill, Huebert, Kelley, Kiegerl, Loganbill, Peterson.

The motion of Rep. Frownfelter did not prevail.

Also, on motion of Rep. Mah to amend **SB 438**, Rep. Billinger requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion of Rep. Mah to amend.

Also, on motion of Rep. Siegfried, **SB 438** be referred to Committee on Federal and State Affairs.

Committee report recommending a substitute bill to **H Sub for SB 416** be adopted; and the substitute bill be passed.

Committee report to **HB 2764** be adopted; also, roll call was demanded on motion of Rep. Rhoades to refer the bill to Committee on Appropriations.

On roll call, the vote was: Yeas 41; Nays 80; Present but not voting: 0; Absent or not voting: 4.

Yeas: Arpke, Aurand, Boman, Bowers, Brown, Brunk, Carlson, Collins, Crum, DeGraaf, Donohoe, Garber, Gonzalez, Grosserode, Hayzlett, Hedke, Henderson, Hineman, Johnson, Kelley, Landwehr, Mast, McLeland, Meigs, Mesa, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Prescott, Rhoades, Roth, Schroeder, Schwab, Schwartz, Shultz, Suellentrop, Tyson, Worley.

Nays: Alford, Ballard, Bethell, Billinger, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Goodman, Gordon, Grange, Grant, Gregory, Henry, Hermanson, Hildabrand, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Montgomery, Moxley, O'Brien, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Rubin, Ruiz, Ryckman, Scapa, Seiwert, Siegfried, Slattery, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson, Sloan.

The motion of Rep. Rhoades did not prevail.

Also, on motion of Rep. Rubin, **HB 2764** be amended on page 4, following line 4, by inserting:

"(h) To the extent that the provisions of this section require benefits that exceed the essential health benefits specified under section 1302(b) of the patient protection and affordable care act, Pub. L. No. 111-148, as amended, no health benefit plan offered by a health insurer in this state shall be required to offer any specific benefits required by this section that exceed the essential benefits specified under section 1302(b) of the patient protection and affordable care act, Pub. L. No. 111-148, as amended.";

Also, on motion of Rep. Siegfried, **HB 2764** be amended on page 1, in line 25, after "(a) (1) " by inserting "Except as provided in subsection (h),";

On page 4, in following line 4, by inserting:

"(h) The commissioner of insurance shall grant a small employer with a health benefit plan, as such term is defined in K.S.A. 40-2209d, and amendments thereto, a waiver from the provisions of this section, if the small employer demonstrates to the commissioner of insurance by actual claims experience over any consecutive twelve-month period that compliance with this section has increased the cost of the health insurance policy by an amount of two and a half percent or greater over the period of a calendar year in premium costs to such small employer.";

And by relettering the remaining subsections accordingly;

Also, on motion of Rep. Meigs to amend **HB 2764**, the motion did not prevail.

Also, on motion of Rep. O'Hara to amend **HB 2764**, Rep. Rubin requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. Rep. D. Gatewood challenged the ruling, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

The question reverted back to the motion of Rep. O'Hara to amend **HB 2764**. Rep. Slattery requested the question be divided. The question was divided. Rep. O'Hara subsequently withdrew her amendment.

Also, on motion of Rep. Denning, **HB 2764** be amended on page 4, following line 4, by inserting:

"New Sec. 3. (a) (1) On January 1, 2013, and on January 1 of the year following the year in which the rule and regulation required pursuant to subsection (b) becomes effective, the commissioner of insurance shall obtain from each health insurer who provided autism coverage in this state pursuant to this act the total cost of that portion of all premiums paid in all insurance policies or similar documents as specified in section 2(a), and amendments thereto, which is attributable to coverage for autism spectrum disorder as required by section 2, and amendments thereto, for the preceding calendar year.

(2) From the data accumulated by the commissioner of insurance shall be calculated an autism spectrum disorder premium rate which shall be equal to the average cost per person per month of the total premium collected which is attributable to coverage for autism spectrum disorder as required by section 2, and amendments thereto.

(3) If the autism spectrum disorder rate calculated pursuant to paragraph (2) exceeds \$.31 per person per month, then the amount of benefits specified in paragraphs (3) and (4) of section 2(a), and amendments thereto, shall be reduced by the percentage

which is equal to the ratio which is determined by dividing the difference between the autism spectrum disorder rate by \$.31, except that the amount of benefits specified in paragraphs (3) and (4) of section 2(a), and amendments thereto, shall not be reduced below zero.

(b) As soon as a new level of benefits has been calculated pursuant to subsection (a), the commissioner of insurance shall adopt a rule and regulation establishing the new benefit levels for paragraphs (3) and (4) of section 2(a), and amendments thereto, for the next policy year commencing after the rule and regulation required by this subsection becomes effective. The benefit levels established by such rule and regulation shall remain in effect until changed by a subsequent rule and regulation or by legislation.

(c) The commissioner is hereby authorized and directed to adopt rules and regulations necessary to implement this section.";

And by renumbering the remaining sections accordingly;

Also, on motion of Rep. Peck to amend **HB 2764**, the motion did not prevail. Also, on further motion of Rep. Peck to amend, the motion did not prevail. Also, on motion of Rep. Donohoe to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. O'Hara to amend **HB 2764** on page 4, following line 4, by inserting:

"New Sec. 3. (a) (1) The department of health and environment, or any successor agency, shall provide services for the diagnosis and treatment of autism spectrum disorders for any individual in the state of Kansas whose age is less than 19 years and who is described in paragraph (2). Such services for the diagnosis and treatment of autism spectrum disorders shall be at least equal to the services for the treatment and diagnosis of autism spectrum disorders required pursuant to section 2, and amendments thereto.

(2) The services for the diagnosis and treatment of autism spectrum disorders specified in paragraph (1) shall be provided to:

(A) Any individual who qualifies for or is provided services pursuant to the provisions of K.S.A. 38-2001, and amendments thereto; or

(B) any individual who is not listed in subsection (a)(2)(A) and who qualifies for or is provided services under an autism waiver or other Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*

(b) The department of health and environment, or any successor agency, is hereby directed to seek any necessary waivers from program requirements of the federal government as may be needed to carry out the provisions of this section and to maximize federal matching and other funds with respect to the provisions of this section. If the department of health and environment, or any successor agency, determines that one or more waivers from program requirements of the federal government are needed to carry out the provisions of this section, the department of health and environment, or any successor agency, shall implement the provisions of this section only if such waivers to federal program requirements have been obtained from the federal government.

(c) (1) Except as provided in paragraph (2), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42

U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the date of receipt of the waivers required under subsection (b).

(2) If the department of health and environment, or any successor agency, determines that no waivers are required to implement the provisions of subsection (b), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 *et seq.*, shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the effective date of this act.

(d) For the purposes of this section:

(1) "Autism spectrum disorder" means the following disorders within the autism spectrum: Autistic disorder, Asperger's syndrome and pervasive developmental disorder not otherwise specified, as such terms are specified in the diagnostic and statistical manual of mental disorders, fourth edition, text revision (DSM-IV-TR), of the American psychiatric association, as published in May, 2000, or later versions as established in rules and regulations adopted by the behavioral sciences regulatory board pursuant to K.S.A. 74-7507, and amendments thereto.

(2) "Diagnosis of autism spectrum disorder" means any medically necessary assessment, evaluation or test to determine whether an individual has an autism spectrum disorder.";

And by renumbering remaining sections accordingly;

On roll call, the vote was: Yeas 108; Nays 11; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Davis, DeGraaf, Denning, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, Wolfe Moore, Worley.

Nays: Brookens, Crum, Fawcett, Hineman, Kiegerl, LeDoux, Montgomery, Pottorff, Roth, Swanson, Vickrey.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Hill, O'Neal, Peterson, K. Wolf.

The motion of Rep. O'Hara prevailed.

Also, on motion of Rep. Brown, **HB 2764** be amended on page 4, following line 4, by inserting before any of the new sections:

"(h) Coverage required under this section shall not be denied to any covered individual on the basis that such individual was diagnosed with an autism spectrum

disorder prior to the effective date of the policy.";

And by relettering remaining subsections accordingly; and **HB 2764** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2789**; **SB 436** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 121, by Representative Frownfelter, congratulating Irene Hill on celebrating her 100th birthday;

Request No. 122, by Representative Frownfelter, congratulating Ruth Mann-Chinn on celebrating her 100th birthday;

Request No. 123, by Representative Frownfelter, congratulating Harmon High School Basketball Team on winning 2nd place at State 5A;

Request No. 124, by Representative Moxley, congratulating Samuel Allen Eldridge on achieving the rank of Eagle Scout;

Request No. 125, by Representative Proehl, congratulating Labette Community College Wrestling Team on winning the National Junior College Athletic Association National Championship for 2012;

Request No. 126, by Representative Proehl, congratulating Coach Joe Renfro of Labette Community College on being named Coach of the Year for the National Junior College Athletic Association for 2012;

Request No. 127, by Representative McCray-Miller, commending the African American Council of Elders for their long standing commitment to cultural enrichment and to imparting wisdom to our entire community;

Request No. 128, by Representative Hermanson, commending Curtis Pitts and The Neighborhood Academic & Athletic Association in recognition for exemplary community leadership and civic engagement;

Request No. 129, by Representative O'Brien, congratulating Christopher Tiner on achieving the Girl Scout Gold Award;

Request No. 130, by Representative Davis, commending Kathy Cook for her years of dedication to our public schools through the establishment of Kansas Families for Education;

Request No. 131, by Representative Pottorff, congratulating Kapaun Mt. Carmel Boys' Basketball Team on winning the 2012 State 5A Championship;

Request No. 132, by Representative Ward, congratulating Gerald Graves for being inducted into the Kansas Music Hall of Fame as a member of The Clocks, Class of 2012;

Request No. 133, by Representative Billinger, congratulating Hoxie High School on winning the Girls 1A State Basketball Championship, Boys 1A State 3rd Place Wrestling and Boys 1A State 3rd Place Basketball;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hayzlett, the House concurred in Senate amendments to **HB 2557**, AN ACT concerning commercial vehicles; requiring an annual commercial vehicle fee; amending K.S.A. 79-306d and K.S.A. 2011 Supp. 8-1,152, 79-6a01, 79-6a02, 79-6a03, 79-6a04, 79-1439, 79-3425i and 79-5101 and repealing the existing sections.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2464** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **HB 2485** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Shultz, Hermanson and Grant as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2494** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2502** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2503** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2516** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2517** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **HB 2563** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Wetta as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **S Sub for HB 2596** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2604** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Burgess, DeGraaf and Trimmer as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurred in Senate amendments to **HB 2613** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurred in Senate amendments to **HB 2655** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2704** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and Pauls as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurred in Senate amendments to **HB 2706** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Burgess, DeGraaf and Trimmer as conferees on the part of the House.

On motion of Rep. Powell, the House nonconcurred in Senate amendments to **S Sub for HB 2730** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurred in Senate amendments to **HB 2430** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Bethell, the House nonconcurred in Senate amendments to **HB 2471** and requested a conference.

Speaker O'Neal thereupon appointed Reps. Bethell, Worley and Flaharty as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **SCR 1616; H Sub for SB 148; HB 2761, SB 306; Sub SB 307; HB 2764; H Sub for SB 74; H Sub for SB 79; Sub SB 283; HB 2741, SB 394, SB 301, SB 413; H Sub for SB 416; SB 424, SB 403** were advanced to that order of business, Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SCR 1616, in support of the Native Nations Law Symposium and urging the Governor to declare a "Tribal Law Day.", was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The resolution was adopted.

H Sub for Sub SB 148, AN ACT concerning water; relating to division of a water right; relating to project permits for sand and gravel operations; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: S. Gatewood, Mah.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

HB 2761, AN ACT concerning the Kansas department of agriculture; relating to changes due to the establishment of the division of animal health, the agriculture marketing and promotions program and the division of conservation; amending K.S.A. 2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-4002, 74-4003, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-567, 74-50,156, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-50,161 and K.S.A. 2011 Supp. 2-1932, 47-1307, 74-50,157, 74-50,158, 74-50,159, 74-50,160 and 74-50,162, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Feuerborn, D. Gatewood, Phelps, Ward.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed.

SB 306, AN ACT concerning crimes, punishment and criminal procedure; relating to intimidation of a witness; amending K.S.A. 2011 Supp. 21-5909 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

Sub SB 307, AN ACT concerning crimes, punishment and criminal procedure; relating to lesser included crimes; murder in the first degree; relating to time limitations at trial; amending K.S.A. 22-3402 and K.S.A. 2011 Supp. 21-5109 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed, as amended.

HB 2764, AN ACT concerning insurance; providing coverage for autism spectrum disorder; amending K.S.A. 2011 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 30; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Ballard, Bethell, Boman, Bowers, Brookens, Brown, Bruchman, Burgess, Burroughs, Carlin, Colloton, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Billinger, Brunk, Calloway, Carlson, Collins, Crum, Donohoe, Garber, Hayzlett, Hineman, Johnson, Kelley, Kelly, Mast, McLeland, Meigs, Mesa, O'Neal, Patton, Peck, Powell, Rhoades, Roth, Schwab, Schwartz, Suellentrop, Tyson, Weber.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2764**. I have supported a review and expansion of our autism Medicaid waiver. However, this bill results in a much more dramatic expansion of our Medicaid program at a time when the Federal government is cutting back on

entitlement funding. – DAVID CRUM

MR. SPEAKER: At this point in time **HB 2764** offers false “hope and change” for children with autism. The bill is based on what the Affordable Care Act will or will not do without any conclusive facts on the essential care package which will be required at the Federal level. The state may bear the cost of this action for years to come.

We have individuals in this administration as well as members of the legislature who want to address the matter with decisions made on good policy and not on emotion. This bill will be enacted before the ACA is determined to be Constitutional. It is irresponsible to pass this legislation at this time.

I vote “No” on **HB 2764**. – PEGGY MAST, RICHARD BILLINGER, JIM KELLY, CARYN TYSON

MR. SPEAKER: I vote NO on **HB 2764**. I cannot support more mandated healthcare coverages for consumers and businesses. I know this is an emotional issue. Despite what was said I do love children...especially mine. – SCOTT SCHWAB

H Sub for SB 74, AN ACT concerning civil procedure; relating to social and rehabilitation services; amending K.S.A. 60-1501 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

H Sub for SB 79, AN ACT concerning the protection of rights and privileges granted under the United States or Kansas constitutions, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez,

Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

Sub SB 283, AN ACT concerning sheriffs; relating to fees; amending K.S.A. 2011 Supp. 28-110 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 29; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, Denning, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kinzer, Kleeb, Knox, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Brown, Brunk, Collins, DeGraaf, Donohoe, Fawcett, S. Gatewood, Gordon, Gregory, Grosserode, Hayzlett, Hildabrand, Howell, Kelley, Kiegerl, Kuether, Landwehr, Lane, LeDoux, McLeland, Meigs, O'Hara, Peck, Powell, Scapa, Schwartz, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed, as amended.

HB 2741, AN ACT concerning the Kansas family law code; relating to recodification; amending K.S.A. 13-1246a, 20-1204a, 20-2618, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-5005, 20-164, 20-165, 20-302b, 21-5808, 21-5924, 23-2217, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 28-177, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-2403, 60-2803, 60-3107, 74-147 and 74-4923 and repealing the existing sections; also repealing K.S.A. 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131,

23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136 and 23-4,137 and K.S.A. 2011 Supp. 28-177a, 38-2255b and 60-1613, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

SB 394, AN ACT concerning corrections and corrections officers; amending K.S.A. 2011 Supp. 75-7c05 and 75-5220 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 52; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Colloton, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Kelley, Kiegerl, Kleeb, Knox, Landwehr, Lane, LeDoux, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, Wetta, B. Wolf.

Nays: Ballard, Bethell, Brookens, Burroughs, Carlin, Crum, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grange, Grant, Henderson, Henry, Hill, Hineman, Huebert, Johnson, Kelly, Kerschen, Kinzer, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Moxley, Patton, Phelps, Phillips, Pottorff, Roth, Ruiz, Schwartz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

SB 301, AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section, was

considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins, Grosserode, Landwehr, LeDoux.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

SB 413, AN ACT creating the workers compensation and employment security boards nominating committee; amending K.S.A. 2011 Supp. 44-551, 44-555c and 44-709 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 41; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bethell, Brookens, Burgess, Burroughs, Carlin, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Osterman, Pauls, Phelps, Roth, Ruiz, Schwartz, Slattery, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

H Sub for SB 416, AN ACT concerning powers and duties of the secretary of labor; pertaining to the state workplace health and safety program; pertaining to implementation and administration of the program; pertaining to transfer of the program from the department of health and environment to the department of labor; pertaining to

the employment security law; pertaining to workplace inspections; amending K.S.A. 2011 Supp. 44-324, 44-575, 44-5,104, 44-634, 44-636, 44-704, 44-710a, 44-710b and 44-714 and replacing the existing sections; also repealing K.S.A. 44-603, 44-617, 44-625 and 44-628, and K.S.A. 2011 Supp. 44-601b, 44-607, 44-608, 44-609, 44-610, 44-611, 44-612, 44-614, 44-615, 44-616, 44-618, 44-619, 44-620, 44-621, 44-623, 44-624, 44-626 and 44-631, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Calloway, Carlson, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Brookens, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kuether, Lane, LeDoux, Loganbill, Mah, McCray-Miller, Meier, Pauls, Phelps, Ruiz, Slattery, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The substitute bill passed.

SB 424, AN ACT concerning the Kansas law enforcement training act; amending K.S.A. 19-801b, 31-157, 74-5601 and 74-5622 and K.S.A. 2011 Supp. 12-1,120, 74-5602, 74-5603, 74-5605, 74-5607, 74-5607a, 74-5608a and 74-5616 and repealing the existing sections; also repealing K.S.A. 74-5618. , was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed, as amended.

SB 403, AN ACT concerning the uniform principal and income act; relating to conversion of a trust into a unitrust; amending K.S.A. 2011 Supp. 58-9-105 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bollier, Cassidy, Peterson.

The bill passed.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **H Sub for SB 17** from Committee on Elections and referral to Committee on Appropriations.

Also, the withdrawal of **H Sub for SB 104** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **H Sub for SB 176** from Committee on Appropriations and referral to Committee on Redistricting.

Also, the withdrawal of **SB 305** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **SB 393** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

MESSAGE FROM THE SENATE

Announcing passage of **SB 267, SB 371, HB 415**.

Announcing passage of **Sub HB 2455; Sub HB 2477; HB 2769**.

Announcing passage of **Sub HB 2004**, as amended by **S Sub for Sub HB 2004; HB 2157**, as amended by **S Sub for HB 2157; HB 2200**, as amended by **S Sub for HB**

2200; HB 2241, as amended by **S Sub for HB 2241; HB 2430**, as amended; **HB 2435**, as amended.

Announcing adoption of **SCR 1618**.

Also, announcing passage of **SB 271, SB 356, SB 400; Sub SB 433**.

Announcing passage of **HB 2117**, as amended by **S Sub for HB 2117; HB 2313**, as amended by **S. Sub for HB 2313; HB 2390**, as amended by **S Sub for HB 2390; HB 2568**, as amended; **HB 2597**, as amended by **S sub for HB 2597; HB 2684**, as amended.

The Senate nonconcurrs in House amendments to **H Sub for SB 259**, requests a conference and has appointed Senators Morris, King and Kelly as conferees on the part of the Senate.

Also, announcing passage of **Sub HB 2318** as amended by **S Sub for Sub HB 2318**.

The Senate nonconcurrs in House amendments to **H Sub for SB 28**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 155**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 160**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 177**, requests a conference and has appointed Senators **Donovan, Apple** and **Holland** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 250**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 257**, requests a conference and has appointed Senators **Schodorf, Vratil** and **Hensley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 262**, requests a conference and has appointed Senators **Brungardt, Reitz** and **Faust-Goudeau** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 273**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 287**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 304**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 315**, requests a conference and has appointed Senators **Teichman, Masterson** and **A. Schmidt** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 366**, requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 367**, requests a conference and

has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills and concurrent resolution were thereupon introduced and read by title:

SB 267, SB 271, SB 356, SB 371, SB 400, SB 415; Sub SB 433; SCR 1618.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Davis, **SCR 1618**, A concurrent resolution relating to the adjournment of the senate and house of representatives for a period of time during the 2012 regular session of the legislature, was adopted.

REPORT ON ENGROSSED BILLS

HB 2766, HB 2773 reported correctly engrossed March 21, 2012.

On motion of Rep. Siegfried, the House adjourned until 2:00 p.m, Monday, March 26, 2012.

Journal of the House

FIFTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 26, 2012, 2:00 p.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 122 members present.

Reps. Hayzlett and LeDoux were excused on verified illness.

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

Rep. Calloway was excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
A week and a half ago,
I stood beside the tomb of Mother Theresa
and read the following quote,
“God has not called me to be successful.
He has called me to be faithful.”
I immediately thought of these leaders.
It is so easy for them to get caught up
in being successful in terms of
getting a bill passed or rejected,
in unifying their party,
in getting votes from the other side,
among many other things.
But the reality is that
You have called them to be faithful.
And, because being faithful
to their own principles and convictions,
or to the desires of their constituents,
or to their party is often in conflict,
it is important they realize
they are to be faithful to
You and to Your teachings,
principles and guidelines.
If they do this, their success will then be
determined by You and for eternity.
This is my prayer for them,
in the name of Your Son, Jesus Christ, Amen.

The Pledge of Allegiance was led by Rep. Kelly.

Kansas Trivia Question – Why is the main street in Lawrence, which was packed with exuberant Jayhawk fans last night after the team won its elite eight game against North Carolina 80-67, called Massachusetts Street?

Answer: Free-state advocates from Massachusetts were among the earliest settlers.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills appearing on the Calendar as “To Be Referred” were referred to committees as indicated:

Appropriations: **Sub SB 433.**
 Energy and Utilities: **SB 271.**
 Federal and State Affairs: **SB 356, SB 400.**
 Taxation: **SB 267, SB 371.**
 Transportation: **SB 415.**

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 46; H Sub for SB 104** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

VETO MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2624**, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp. 19-101a and 79-4231 and repealing the existing sections, was received and read.

Message to the House of Representatives of the State of Kansas:

While the policy expressed in **HB 2624** has merit, it needs to be considered in the context of a comprehensive pro-growth tax and budget package. Therefore, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **HB 2624**.

SAM BROWNBACK
 Governor

Dated: March 23, 2012

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 28**.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 155**.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 160**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 177**.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 250**.

Speaker O'Neal thereupon appointed Reps. Shultz, Hermanson and Grant as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 257**.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 259**.

Speaker O'Neal thereupon appointed Reps. M. Holmes, Grange and Ruiz as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 262**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 273**.

Speaker O'Neal thereupon appointed Reps. Shultz, Hermanson and Grant as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 287**.

Speaker O'Neal thereupon appointed Reps. Knox, Proehl and Grant as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 304**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 315**.

Speaker O'Neal thereupon appointed Reps. Knox, Proehl and Grant as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 366**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 367**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. M. Holmes in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. M. Holmes, Committee of the Whole report, as follows, was adopted:

Recommended that **Sub SB 397** be passed.

On motion of Rep. Grange, **HB 2745** be amended on page 2, in line 28, after "purposes." by inserting "Such policy shall also provide that in determining which students to admit as exceptions to the minimum admissions standards prescribed by this section, the state educational institution shall give preference to persons who are in military service.";

On page 3, in line 2, after "paragraph." by inserting "In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service."; in line 38, after "paragraph." by inserting "In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service.";

On page 4, following line 36, by inserting:

"(h) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard."; and **HB 2745** be passed as amended.

Committee report to **HB 2767** be adopted; also, on motion of Rep. Aurand be amended on page 5, in line 11, after "low-income" by inserting "or special educational";

On page 7, following line 14, by inserting:

"(h) (1) No scholarship granting organization shall provide an eligible student with an educational scholarship established by funding from any contributions made by any relative of such eligible student.

(2) No scholarship granting organization shall accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student.";

Also, on motion of Rep. Kiegerl to amend **HB 2767**, Rep. Otto requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, roll call was demanded on motion of Rep. Ward to amend **HB 2767** on page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 15 and inserting:

"Section 1. K.S.A. 2011 Supp. 72-6410 is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) (1) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and;~~

(A) \$4,492 in school year 2009-2010, years 2011-2012 and 2014-2015 and each school year thereafter;

(B) \$3,854 in school year 2012-2013; and

(C) \$3,928 in school year 2013-2014.

(2) The provisions of subparagraph (1)(B) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2011-2012, is equal to 92.5% of the amount of supplemental general state aid school districts are entitled to receive for such school year as determined by K.S.A. 72-6434, and amendments thereto. The provisions of subparagraph (1)(C) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2012-2013, is equal to 100% of the amount of supplemental general state aid school districts are entitled to receive for such school year as determined by K.S.A. 72-6434, and amendments thereto. In the event either subparagraph (1)(B) or (1)(C) does not take effect in its corresponding school year, then the base state aid per pupil for such school year shall be \$3,780.

(3) The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per pupil for such school year is subject to reduction commensurate with the amount of the insufficiency.

(c) "Local effort" means the sum of an amount equal to the proceeds from the tax levied under authority of K.S.A. 72-6431, and amendments thereto, and an amount equal to any unexpended and unencumbered balance remaining in the general fund of the district, except amounts received by the district and authorized to be expended for the purposes specified in K.S.A. 72-6430, and amendments thereto, and an amount equal to any unexpended and unencumbered balances remaining in the program weighted funds of the district, except any amount in the vocational education fund of the district if the district is operating an area vocational school, and an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to the repeal of such statutory sections, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district under the provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto, and an amount equal to the amount credited to the general fund in the current school year from amounts distributed in such year to the district under the provisions of articles 17 and 34 of chapter 12 of Kansas Statutes

Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated, and amendments thereto, and an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-979, and amendments thereto, and an amount equal to the amount of a grant, if any, received by the district under the provisions of K.S.A. 72-983, and amendments thereto, and an amount equal to 70% of the federal impact aid of the district.

(d) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

Sec. 2. K.S.A. 2011 Supp. 72-6433 is hereby amended to read as follows: 72-6433.

(a) As used in this section:

(1) (A) "State prescribed percentage" means ~~31% of state financial aid of the district in the current school year;~~

(i) For school year 2012-2013, 32% of state financial aid of the district in such school year; and

(ii) for school year 2013-2014 and each school year thereafter, 33% of state financial aid of the district in such school year.

(B) The provisions of subparagraph (1)(A)(i) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2011-2012, is equal to 92.5% of the amount of supplemental general state aid school districts are entitled to receive for such school year as determined by K.S.A. 72-6434, and amendments thereto. The provisions of subparagraph (1)(A)(ii) shall have no force and effect unless the aggregate amount of appropriations for supplemental general state aid for school year 2012-2013, is equal to 100% of the amount of supplemental general state aid school districts are entitled to receive for such school year as determined by K.S.A. 72-6434, and amendments thereto.

(2) "Authorized to adopt a local option budget" means that a district has adopted a resolution under this section, has published the same, and either the resolution was not protested or it was protested and an election was held by which the adoption of a local option budget was approved.

(b) In each school year, the board of any district may adopt a local option budget which does not exceed the state prescribed percentage.

(c) Subject to the limitation of subsection (b), in each school year, the board of any district may adopt, by resolution, a local option budget in an amount not to exceed:

(1) (A) The amount which the board was authorized to adopt in accordance with the provisions of this section in effect prior to its amendment by this act; plus

(B) the amount which the board was authorized to adopt pursuant to any resolution currently in effect; plus

(C) the amount which the board was authorized to adopt pursuant to K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

(2) the state-wide average for the preceding school year as determined by the state

board pursuant to subsection (j).

Except as provided by subsection (e), the adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(d) If the board of a district desires to increase its local option budget authority above the amount authorized under subsection (c) or if the board was not authorized to adopt a local option budget in 2006-2007, the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____ , _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the amount of state financial aid. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified School District No. _____, County, Kansas, on the _____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled as is appropriate. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(e) Any resolution authorizing the adoption of a local option budget in excess of 30% of the state financial aid of the district in the current school year shall not become effective unless such resolution has been submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon. The election shall be called and held in the manner provided by K.S.A. 10-120, and

amendments thereto.

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(g) The board of any district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to K.S.A. 72-6435, and amendments thereto, is certified to the county clerk under any existing authorization.

(h) The board of any district that is authorized to adopt a local option budget prior to the effective date of this act under a resolution which authorized the adoption of such budget in accordance with the provisions of this section in effect prior to its amendment by this act may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section as amended by this act. Any such district shall operate under the provisions of this section as amended by this act after the period of time specified in the resolution has expired.

(i) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions which are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(j) (1) There is hereby established in every district that adopts a local option budget a fund which shall be called the supplemental general fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitation imposed under paragraph (3) and subsection (e) of K.S.A. 72-6434, and amendments thereto, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any program weighted fund or categorical fund of the district. Amounts in the supplemental general fund attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(3) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings which is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in ~~paragraph subparagraph~~ (B), any unexpended budget remaining in the supplemental general fund of a district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the district received supplemental general state aid in the school year, the

state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the district for the school year and multiply the total amount of the unexpended budget remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the district or remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(k) Each year the state board of education shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(l) The provisions of this section shall be subject to the provisions of K.S.A. 2011 Supp. 72-6433d, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 72-6410 and 72-6433 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3 and inserting "school districts; relating to the amount of base state aid per pupil; relating to the local option budget; amending K.S.A. 2011 Supp. 72-6410 and 72-6433 and repealing the existing sections.";

On roll call, the vote was: Yeas 50; Nays 70; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kelly, Kleeb, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Phelps, Pottorff, Proehl, Roth, Ruiz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Present but not voting: None.

Absent or not voting: Bruchman, Hayzlett, Landwehr, LeDoux, Peterson.

The motion of Rep Ward did not prevail.

Also, on motion of Rep. Mast, **HB 2767** be amended on page 2, in line 25, after "organization" by inserting "owned and operated by a United States citizen or by an organization headquartered in the United States";

Also, on motion of Rep. Otto to rerefer **HB 2767** to Committee on Taxation, the motion did not prevail.

Also, roll call was demanded on motion to recommend **HB 2767** favorably for passage.

On roll call, the vote was: Yeas 55; Nays 66; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Boman, Bowers, Brown, Brunk, Carlson, Collins, Crum, DeGraaf, Donohoe, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hedke, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Patton, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwartz, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Nays: Ballard, Bethell, Billinger, Bollier, Brookens, Bruchman, Burgess, Burroughs, Carlin, Cassidy, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hermanson, Hill, Hineman, Johnson, Kelly, Kerschen, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, Moxley, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Schroeder, Schwab, Seiwert, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Calloway, Hayzlett, LeDoux, Peterson.

The motion to recommend **HB 2767** favorably for passage did not prevail.

On motion of Rep. O'Hara to amend **HB 2561**, the motion did not prevail. Also, on motion of Rep. Scapa to amend, the motion did not prevail. Also, on further motion of Rep. Scapa to amend, the motion did not prevail; and the bill be passed.

MOTIONS TO CONCUR AND NONCONCUR

Speaker O'Neal announced that, in accordance with House Rule 2107, the Senate amendments to **S Sub for HB 2200** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

S Sub for HB 2200 was thereupon introduced and read by title.

Speaker O'Neal thereupon referred the bill to Committee on Education Budget.

Speaker O'Neal announced that, in accordance with House Rule 2107, the Senate amendments to **S Sub for HB 2241** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

S Sub for HB 2241 was thereupon introduced and read by title.

Speaker O'Neal thereupon referred the bill to Committee on Appropriations.

On motion of Rep. Aurand, the House nonconcurrred in Senate amendments to **S Sub for Sub HB 2004** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Aurand, Huebert and Ward as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurrred in Senate amendments to **S Sub for HB 2157** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

On motion of Rep. Kinzer, the House nonconcurrred in Senate amendments to **S Sub for HB 2313** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on

the part of the House.

On motion of Rep. Colloton, the House nonconcurrred in Senate amendments to **S Sub for Sub HB 2318** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Gordon, the House nonconcurrred in Senate amendments to **HB 2435** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Gordon, Aurand and Winn as conferees on the part of the House.

On motion of Rep. Colloton, the House nonconcurrred in Senate amendments to **HB 2568** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurrred in Senate amendments to **S Sub for HB 2597** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Burgess, the House nonconcurrred in Senate amendments to **HB 2684** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and Pauls as conferees on the part of the House.

MESSAGE FROM THE GOVERNOR

Sub HB 2055; HB 2465, HB 2469, HB 2472, HB 2473, HB 2509, HB 2588, HB 2612, HB 2737 approved on March 26, 2012.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6022—

By Representatives Crum, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith,

Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION designating March 27, 2012 as American Diabetes Association Alert Day.

WHEREAS, The state of Kansas recognizes that healthy citizens are essential for strong communities to thrive; and

WHEREAS, Diabetes is a devastating disease that affects nearly 26 million Americans, including 8.6% of Kansas adults. More than 179,000 Kansans have been diagnosed with diabetes and over 90% of those Kansans have type 2 diabetes, which can be prevented or delayed. If current trends continue, one out of every three American adults will have diabetes by 2050; and

WHEREAS, The prevalence of diabetes is significantly higher among Kansas adults 18 years and older who are obese (16.1%) as compared to those who are not obese (5.4%). Obesity is one of the most well-established and modifiable risk factors for diabetes; and

WHEREAS, Approximately 79 million, or one in three American adults, have pre-diabetes, which means their blood sugar is higher than normal, but not high enough to be classified as diabetes. Without intervention, those with pre-diabetes are at a much higher risk for developing type 2 diabetes. The American Diabetes Association estimates that the total cost of diagnosed diabetes in the United States is over \$174 billion. Studies suggest that when additional costs for gestational diabetes, pre-diabetes and undiagnosed diabetes are included, the total diabetes-related costs in the United States could exceed \$218 billion; and

WHEREAS, Early detection and disease management can help prevent complications of diabetes, including cardiovascular disease, blindness, nervous system damage and kidney failure; and

WHEREAS, The 24th annual American Association Diabetes Alert Day is Tuesday, March 27th, 2012, a one-day "wake-up" call asking the American public to "join the million challenge" by encouraging Americans to take the diabetes risk test to find out if they are at risk for developing type 2 diabetes and if they are at high risk, to speak with their health care provider; and

WHEREAS, The American Diabetes Association has encouraged community organizations to use March 27th as a way to educate individuals to recognize their risk for type 2 diabetes, manage their risk and take action to create a future free of the disease; and

WHEREAS, The partnership between the American Diabetes Association, Kansas Diabetes Action Council and Kansas Department of Health and Environment Diabetes Prevention and Control Program provides statewide leadership to prevent and control diabetes and reduce its impact on Kansans: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 27, 2012 as American Diabetes Association Alert Day in the state of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Crum.

REPORT ON ENGROSSED BILLS

HB 2741, HB 2764 reported correctly engrossed March 26, 2012.

REPORT ON ENROLLED BILLS

Sub HB 2055; Sub HB 2166; Sub HB 2207; HB 2335, HB 2412, HB 2420, HB 2429, HB 2465, HB 2468, HB 2469; Sub HB 2470; HB 2472, HB 2473, HB 2491, HB 2496, HB 2507, HB 2509, HB 2546, HB 2588, HB 2599, HB 2600, HB 2612, HB 2618, HB 2666, HB 2669, HB 2672, HB 2675, HB 2677, HB 2683, HB 2737 reported correctly enrolled, properly signed and presented to the Governor March 23, 2012.

On motion of Rep. Siegfroid, the House adjourned until 11:00 a.m., Tuesday, March 27, 2012.

Journal of the House

FIFTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 27, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. LeDoux was excused on verified illness.

Rep. K. Wolf was excused on legislative business.

Prayer by guest chaplain, the Rev. Dennis Paschke, pastor, Frontenac United Methodist Church, and guest of Rep. Calloway:

Gracious and Loving Creator...

Eternal God, You have created all things and placed each of us here to be a part of your purpose and your will for Kansas!

It is through our lives given over to You that we see what we can be and what we can become!

God you know our hearts....you know that the greatest thing we can accomplish this day is to put away any partisan differences that can get in our way of compromise and work together towards productive and healthy improvements in the lives of all Kansans!

May we this day and everyday forward work together in a way that respects our fellow legislators and in such a way that we make this day a stronger Kansas, a more resilient Kansas, a more compassionate Kansas.

Send Your Spirit upon the Members of this people's House to encourage them in their official tasks. Be with them and with all who labor here to serve this great State and its people.

Assure them that whatever their responsibilities, You provide the grace to enable them to be faithful to their duties and the wisdom to be conscious of their obligations and to fulfill them with integrity.

Remind us all of the dignity of our work and teach us to use our talents and abilities in ways that are honorable and just and are of benefit to those we serve.

May all that is done this day be for Your greater honor and glory!

Lord Open the floodgates of heaven this day and let it

rain!!!!

In the name of the one in whom we live and have our very being the only being that had a lasting impact that part of us that honors you with our lives, in the name of Jesus Christ. Amen.

The Pledge of Allegiance was led by Rep. Hineman.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Bethell are spread upon the Journal:

It is my privilege to have before this body today the Sterling High School Black Bears men's basketball team. The Black Bears basketball team had an overall league record of seven wins, four losses and an overall record of 21 wins and four losses. This record took them to the 2A Championship game against the Meade Buffaloes which they won with the decisive score of 71-49.

This is the first class championship for the Black Bears in the history of the school. With us today are William Anderson, Principal of Sterling High School; Derek Schneider, Head Coach; Tyson Bauerle, Assistant Coach; Wes Laudermilk, Assistant Coach; and the Black Bears team. I would like the seniors to step forward for recognition.

I have a remembrance for the Principal, Coaches and the School, and I will see that the members of the team receive a remembrance as well.

Rep. Bethell presented framed House certificates to the Principal, Coaches and School.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Crum, **HR 6022**, A resolution designating March 27, 2012 as American Diabetes Association Alert Day, was adopted.

There being no objection, the following remarks of Rep. Crum are spread upon the Journal:

Nearly 26 million Americans exhibit diabetes, seven million of which are undiagnosed. Those in Kansas exhibiting diabetes number 179,000.

The estimated annual cost to our state back in 2007 was \$1.5 billion.

The greatest risk factor for diabetes is obesity.

One in three children born today will face a future with diabetes if current trends continue.

Complications of diabetes include cardiovascular disease, stroke as well as neuropathy and loss of sight when the disease is not properly controlled. Therefore tight control of diabetes is very important.

Minority populations including African Americans, Latinos and Native Americans have an increased risk of developing type 2 diabetes.

Our state recognizes the partnership between the American Diabetes Association, Kansas Diabetes Action Council and the Kansas Department of Health and

Environment's Diabetes Prevention and Control Program to provide statewide leadership to prevent and control diabetes.

Therefore, I move **HR 6022** to recognize March 27, 2012 as American Diabetes Association Alert Day in the state of Kansas.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2561, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; amending K.S.A. 2011 Supp. 12-17,179 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 92; Nays 31; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Mesa, Montgomery, O'Neal, Osterman, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Boman, Brown, Collins, DeGraaf, Denning, Donohoe, Garber, Goodman, Gregory, Grosserode, Hedke, Hildabrand, M. Holmes, Howell, Kelley, Kinzer, Knox, McLeland, Meigs, Moxley, O'Brien, O'Hara, Otto, Peck, Rhoades, Ryckman, Scapa, Schroeder, Smith, Tyson.

Present but not voting: None.

Absent or not voting: LeDoux, K. Wolf.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **HB 2561**. Star Bonds are a form of failed economic policy that Kansas should distance itself from. It is time for government to stop picking winners and losers and instead promote economic policies and a lower tax structure that all Kansans can benefit from. Star bonds are a form of centralized planning that favors a few at the expense of other taxpayers and businesses. These bonds divert needed money from police, fire, roads, and other core functions of government for 10, 20, and even 30 years. Mr. Speaker, I vote NO, choosing to support the taxpayers who voted me in office. — PETE DEGRAAF, VIRGIL PECK, JR, RANDY GARBER, CHARLOTTE O'HARA, OWEN DONOHOE, CONNIE O'BRIEN

MR. SPEAKER: **HB 2561** goes against my principles of free enterprise and limited government. By redirecting tax revenue to a particular business, STAR bonds create an unequal playing field. STAR bonds favor a few at the expense of other taxpayers and businesses. These bonds divert money needed for core functions of government for decades into the future. It is time for government to stop picking winners and losers and

instead promote economic policies and a lower tax structure from which all Kansans can benefit. Mr. Speaker, I stand with the voters that elected me. I vote NO on **HB 2561**. — JIM HOWELL, DENNIS HEDKE, TERRILOIS GREGORY, BRETT HILDABRAND, GREG SMITH, KELLY MEIGS, AMANDA GROSSERODE, JANA GOODMAN, LANCE Y. KINZER, MITCH HOLMES, MARC RHOADES, KASHA KELLEY, DAN COLLINS, TOM ARPKE

HB 2745, AN ACT concerning the board of regents; relating to funding for remedial courses provided by state educational institutions; relating to exceptions to the qualified admissions standards; amending K.S.A. 2011 Supp. 76-717 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 68; Nays 55; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Boman, Bowers, Brookens, Brown, Brunk, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Peck, Pottorff, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf.

Nays: Ballard, Billinger, Bollier, Bruchman, Burgess, Burroughs, Calloway, Carlin, Collins, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Hill, Kelly, Kiegerl, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Patton, Pauls, Peterson, Phelps, Phillips, Proehl, Roth, Ruiz, Schwartz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: LeDoux, K. Wolf.

The bill passed, as amended.

Sub SB 397, AN ACT providing for a change in terminology in the statutes from the terms mental retardation, handicap and similar terms to the term intellectual disability and similar terms; amending K.S.A. 17-1762, 19-4001, 19-4002, 19-4002a, 19-4002b, 19-4003, 19-4004, 19-4005, 19-4007, 19-4009, 19-4010, 19-4011, 39-927, 39-971, 39-1001, 39-1002, 39-1005, 39-1006, 39-1007, 39-1201, 39-1202, 39-1205, 39-1207, 39-1803, 58-24a16, 59-2946, 59-2972, 59-3077, 65-5a14, 65-3501, 65-4202, 65-4212, 65-4411, 65-4412, 65-4413, 65-4414, 65-4415, 65-5601, 72-6203, 74-8917, 75-4375, 75-5399, 75-6508, 76-12b01, 76-12b02, 76-12b03, 76-12b07, 76-12b11 and 76-17c01 and K.S.A. 2011 Supp. 12-1675, 21-5417, 21-6622, 39-923, 39-936, 39-1401, 39-1702, 40-3401, 50-676, 65-180, 65-1124, 65-1626, 65-4915, 65-4921, 65-6805, 72-962, 74-5344, 75-4265, 75-5321a, 75-6506, 75-6609, 75-6610, 75-7303 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett,

Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, Wolfe Moore, Worley.

Nays: Collins, McLeland.

Present but not voting: None.

Absent or not voting: LeDoux, K. Wolf.

The substitute bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. McLeland, the House nonconcurrred in Senate amendments to **S Sub for HB 2390** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. McLeland, C. Holmes and Burroughs as conferees on the part of the House.

On motion of Rep. Knox, the House nonconcurrred in Senate amendments to **HB 2505** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Knox, Proehl and Grant as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurrred in Senate amendments to **HB 2631** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Landwehr, Donohoe and Flaharty as conferees on the part of the House.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Brunk in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Brunk, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **H Sub for SB 425** be adopted; and the substitute bill be passed.

Committee report to **HCR 5006** be adopted; also, on motion of Rep. Mah to amend, the motion did not prevail. Also, on motion of Rep. Otto to amend, the motion did not prevail. Also, on motion of Rep. Brookens to amend, the motion did not prevail.

Also, roll call was demanded on motion to recommend **HCR 5006** favorably for adoption.

On roll call, the vote was: Yeas 91; Nays 31; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens,

Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Pauls, Phelps, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: LeDoux, Peterson, K. Wolf.

The motion prevailed, and **HCR 5006** be adopted as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **SB 46** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 46," as follows:

"HOUSE Substitute for SENATE BILL NO. 46

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, punishment and criminal procedure; relating to human trafficking; human trafficking advisory board; establishing the human trafficking victim assistance fund; creating the crime of commercial sexual exploitation of a child; relating to selling sexual relations; promoting the sale of sexual relations; buying sexual relations; amending K.S.A. 22-2530 and K.S.A. 2011 Supp. 21-5301, 21-5302, 21-5303, 21-5401, 21-6419, 21-6420, 21-6421, 21-6614, 21-6626, 21-6627, 21-6815, 22-2515, 22-3601, 22-3717, 22-3901, 22-4902, 22-4906, 38-2202, 38-2243, 38-2260, 38-2312, 38-2361, 41-311, 41-2601 and 60-4104 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-4902a, 22-4906a, 38-2312a and 38-2312b."; and the substitute bill be passed.

(**H Sub for SB 46** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **House Substitute for SB 104** be amended as recommended by the Committee on Corrections and Juvenile Justice as reported in the Journal of the House on March 20, 2012, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 438**, as amended by House Committee, be amended on page 1, following line 25, by inserting:

"New Sec. 2. Sections 2 through 6, and amendments thereto, shall be known and may be cited as the competitive bid protection act.

New Sec. 3. The purposes of this act are to: (a) Provide for the efficient procurement of goods and services by governmental entities;

(b) promote the economical, nondiscriminatory and efficient administration and completion of state and state-funded or state-assisted construction projects by governmental entities;

- (c) provide for fair and open competition for construction contracts, awarded by governmental entities;
- (d) prohibit requirements for certain terms in construction contracts awarded by governmental entities;
- (e) prohibit the expenditure of public funds under certain conditions;
- (f) prohibit certain terms in procurement documents by governmental entities for public facilities; and
- (g) provide powers and duties for certain public officers, employees and contractors.

New Sec. 4. (a) Unless otherwise required by law, each governmental entity within this state that contracts for public works construction shall ensure that neither the awarding governmental entity or any agent responsible for procuring a contract directly between the governmental entity and a contractor shall not:

- (1) Require any bidder, contractor, subcontractor or material supplier to enter into or agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects; or
- (2) discriminate against or treat differently any bidder, contractor, subcontractor or material supplier for becoming, refusing to become or remaining signatories or otherwise to agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects.

(b) Nothing in this section shall prohibit:

- (1) Any bidder, contractor, subcontractor, construction manager, design-builder or material supplier of any tier from voluntarily entering into agreements described in paragraph (1) of subsection (a); or
- (2) prohibit any contractor, construction manager or design builder from requiring its subcontractors or material suppliers of any tier to enter into a collection bargaining agreement.

New Sec. 5. No provision of this act shall be construed to:

- (a) Prohibit any employer or other party from entering into any agreement or engaging in any other activity protected by the national labor relations act, 29 U.S.C. §§ 151 through 169; and
- (b) interfere with labor relations of any party that is protected under the national labor relations act, 29 U.S.C. §§ 151 through 169.

New Sec. 6. For the purposes of Sections 2 through 6:

- (a) "Governmental entity" shall mean a state agency or a municipality as the context requires.
- (b) "Municipality" shall have the meaning specified in K.S.A. 12-105a, and amendments thereto.
- (c) "State agency" shall have the meaning specified in K.S.A 75-3728a, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; in line 2, by striking "information submitted by employers" and inserting "employers, labor organizations and certain contractors"; and the bill be passed as amended.

On motion of Rep. Siegfried, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Redistricting** recommends **House Substitute for SB 176** be amended by substituting a new bill to be designated as "House Substitute for House Substitute for SENATE BILL NO. 176," as follows:

"HOUSE Substitute for HOUSE Substitute for SENATE BILL NO. 176

By Committee on Redistricting

"AN ACT concerning redistricting; relating to congressional districts; relating to state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141, 4-142, 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858."; and the substitute bill be passed.

(**H Sub for H Sub for SB 176** was thereupon introduced and read by title.)

Speaker O'Neal announced that, in accordance with House Rule 1507, the following bills were stricken from the Calendar effective March 26, 2012:

SB 260; H Sub for SB 325.

REPORT ON ENGROSSED BILLS

HB 2745 reported correctly engrossed March 27, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6019 reported correctly enrolled and properly signed on March 27, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, March 28, 2012.

Journal of the House

FIFTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 28, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. LeDoux was excused on verified illness.

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

Rep. Montgomery was excused later in the day on legislative business.

Rep. Crum was excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord,

Today I want to pray for “balance” for these leaders.

As they near the end of this session, balance is needed in many areas.

Help them to—

Balance the:	B – budgets
Balance relationships with right:	A – attitudes
Balance tension with:	L – laughter
Balance decisions with:	A – acceptance
Balance alertness with:	N – naps
Balance tough decisions with:	C – compassion
Balance rest with:	E – energy

These are busy days for our leaders. Watch over them, keep them safe traveling back and forth. Keep them rested. Encourage their families while they are away. And keep them diligent and faithful throughout. In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Tyson.

Kansas Trivia Question – At one point Lilla Hall of Winfield was the only woman in the United States to hold what job?

Answer: Coroner

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Proehl are spread upon the Journal:

The Labette Community College Cardinals won the 2012 National Junior College

Athletic Association (NJCAA) wrestling championship for the second time. Nine of the wrestlers earned All-American status, which requires a top five finish, and two wrestlers won individual national championships. The Cardinals tied the all-time record for most points scored in the NJCAA wrestling tournament.

Team members are as follows:

John Hambleton, 184 pound weight class

Garrett Jones, All-American, 125 pound weight class, 5th Place

Eric Hughes, All-American, 133 pound weight class, 5th Place

Jeromy Davenport, All-American, 149 pound weight class, 5th Place

Jordan Basks, All-American, 141 pound weight class, 3rd Place

Ray Hall, All-American, 174 pound weight class, 3rd Place

Zachary Anderson, All-American, 197 pound weight class, 2nd Place

Trey Page, All-American, Heavyweight, 2nd Place

Devin Aguirre, All-American, 157 pound weight class, Champion

Ethan Orr, All-American, 165 pound weight class, Champion

The team was coached by Joe Renfro, Head Coach; Dennis Siegmann, Assistant Coach; William Weber, Assistant Coach; and Ben McKenzie, Athletic Trainer. Head Coach Joe Renfro won the NJCAA wrestling coach of the year honor for the second time in his career.

Rep. Proehl presented framed House certificates to the team and the Coach.

MESSAGE FROM THE GOVERNOR

March 23, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-04 for your information.

EXECUTIVE ORDER No. 12-04

Concerning Conditional and Temporary Relief
from Motor Carrier Rules and Regulations

SAM BROWBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2430** and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2464** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2471** and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2485** and has appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2494** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2502** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2503** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2516** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2517** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2563** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2596** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2604** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2613** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2655** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2704** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2706** and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2730** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 114**, requests a conference and has appointed Senators Reitz, Kelsey and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 207**, requests a conference and has appointed Senators Reitz, Kelsey and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 341**, requests a conference and has appointed Senators Reitz, Kelsey and Faust-Goudeau as conferees on the part of the Senate.

Also, announcing passage of **SB 427, SB 453; Sub 459**.

Announcing passage of **HB 2382**, as amended by **S Sub for HB 2382; HB 2454, S Sub for HB 2454; HB 2757**, as amended.

The Senate concurs in House amendments to **H Sub for Sub SB 159**.

The Senate concurs in House amendments to **SB 320**.

The Senate concurs in House amendments to **SB 366**, and requests return of the bill.

The Senate nonconcurrs in House amendments to **H Sub for SB 79**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for Sub for SB 148**, requests a conference and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **Sub SB 283**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 306**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **Sub SB 307**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 394**, requests a conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 416**, requests a conference and has appointed Senators Wagle, Lynn and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2004** and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2157** and has appointed Senators Donovan, Apple and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2435** and has appointed Senators Schodorf, Vratil and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2597** and has appointed Senators Ostmeyer, McGinn and Francisco as conferees on the part of the Senate.

Also, the Senate accedes to the request of the House for a conference on **S Sub for HB 2313** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for Sub HB 2318** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2390** and has appointed Senators Apple, Petersen and Kultala as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2505** and has appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2568** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2631** and has appointed Senators V. Schmidt, Brungardt and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2684** and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 427, SB 453; Sub 459.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **H Sub for SB 79**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **H Sub for SB 114**.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert and Mah as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 148**.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 207**.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert and Mah as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **Sub SB 283**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **SB 306**.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **Sub SB 307**.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and McCray-Miller as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 341**.

Speaker O'Neal thereupon appointed Reps. Huebert, Seiwert and Mah as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 394**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 416**.

Speaker O'Neal thereupon appointed Reps. Brown, Suellentrop and Slattery as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolutions were introduced and read by title:

HOUSE RESOLUTION No. HR 6023—

By Representative Gordon

A RESOLUTION encouraging participation in the American Public Health Association and the Kansas Public Health Association National Public Health Week, April 2-8, 2012.

WHEREAS, The week of April 2-8, 2012, is National Public Health Week, where the theme is "A Healthier America Begins Today. Join the Movement."; and

WHEREAS, The week of April 2-8, 2012, has been designated as National Public Health Week in Kansas in a Governor's Proclamation by Governor Sam Brownback; and

WHEREAS, Since 1995, the sponsorship of National Public Health Week by the American Public Health Association, the Kansas Public Health Association and its members have educated the public, policymakers and public health professionals about issues important to improving the American public's health; and

WHEREAS, Preventing diseases before they start is critical to helping people live longer and healthier lives while managing health-related costs; and

WHEREAS, Chronic diseases such as heart disease, cancer and diabetes are responsible for millions of premature deaths each year; and

WHEREAS, Chronic diseases cause Americans to miss 2.5 billion days of work each year, resulting in lost productivity totaling more than \$1 trillion; and

WHEREAS, On average, Americans are living to 78 years of age. However, only 69 of these years are spent in good health: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we support the efforts of the American Public Health Association and the Kansas Public Health Association to recognize the week of April 2-8, 2012, as National Public Health Week, and call upon the people of Kansas to observe National Public Health Week by helping our families, friends, neighbors, co-workers and leaders better understand the importance of public health to a successful health system in light of this year's theme of National Public Health Week, "A Healthier America Begins Today. Join the

Movement."; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Gordon.

HOUSE RESOLUTION No. **HR 6024**—

By Representatives Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION designating every Sunday as "Cooking With Kids Day."

WHEREAS, Our children are Kansas' most precious and joyful responsibility, and we are obligated to do all we can to make the good health of our children our number one goal; and

WHEREAS, Childhood obesity is considered by many to be an epidemic in western countries, where now one out of every three children is considered overweight or obese; and

WHEREAS, Local, state and federal governments recognize the tremendous health risk to our children and the added burden to our health care costs in this country from obesity and are now taking an active role in fighting childhood obesity through new programs, including improved nutrition education and access to healthier school lunches; and

WHEREAS, The President of the United States signed a memorandum on February 9, 2010, creating a new interagency task force that included 12 federal agencies to address the problem of childhood obesity in the United States; and

WHEREAS, The President's task force identified 70 specific recommendations, many of which can or have been implemented immediately. The report broadly summarizes the task force recommendations, including getting children a healthy start in life with good prenatal care, providing health food in schools, improving access to healthy food in schools and getting children more physically active; and

WHEREAS, Children have historically led their parents when embarking on a culture change. Children often learn skills and disciplines and reinforce new behaviors in the family dynamic, for instance, helping to teach their parents how to do a better job recycling and to understand new technologies, such as social networking; and

WHEREAS, Children are more likely to eat healthier when they are involved in their food choices and food preparation; and

WHEREAS, Children who help their parents plan a meal, shop for the groceries and

prepare the food they buy are empowered to make healthier food choices; and

WHEREAS, Children who are connected to the food supply at a young age become more conscious consumers as adults; and

WHEREAS, New venues such as the Food Network and network television have introduced adults and children to fun, healthy ways to enjoy family time together while creating healthy meals. These new venues and their celebrity chefs are leading families in a culture change in our relationship with food: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate every Sunday, so long as it does not conflict with personal beliefs, as "Cooking With Kids Day" in order to encourage parents and children to spend time in the kitchen together and prepare a healthy meal; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative O'Neal.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HCR 5006, A concurrent resolution to amend section 24 of article 2 of the constitution of the state of Kansas, relating to appropriations, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 79; Nays 44; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Landwehr, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf, K. Wolf.

Nays: Ballard, Bollier, Brookens, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Pauls, Peck, Peterson, Phelps, Pottorff, Roth, Ruiz, Slattery, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

A two-thirds majority of the members elected to the House having not voted in the affirmative, the resolution was not adopted.

EXPLANATIONS OF VOTE

MR. SPEAKER: I have told this body my concern about the consequence of this proposed constitutional amendment. I fear it is over-broad for what it proposes to fix. I am fine with its intent; I fear its unintended consequences. I'm told this bill really does nothing but re-state the constitution, so why are we doing this....and then I also remember being told if I'm uneasy with what I'm about to do, I ought to follow my instincts and not do it. I vote NO on **HCR 5006**. – J. ROBERT (BOB) BROOKENS

MR. SPEAKER: The intention of this resolution appears good. But I am truly concerned about the usurpation of the function of the executive branch. As we learned but a few years ago, the executive branch needs some leeway in redirecting appropriations and making allotments. I fear unintended consequences of this constitutional amendment and as has often been said: "When in doubt vote no." I vote no on **HCR 5006**. – TOM MOXLEY

H Sub for SB 425, AN ACT concerning the court of appeals; relating to the number of judges; amending K.S.A. 2011 Supp. 20-3002 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Landwehr, Lane, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kuether, Mah.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

The substitute bill passed

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Burroughs moved that the House reconsider its adverse action in not adopting **HCR 5006** under that order of business, Final Action on Bills and Concurrent Resolutions. The motion did not prevail.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Landwehr, the House concurred in Senate amendments to **HB 2416**, AN ACT concerning health care finance ; relating to updating references and corresponding changes due to transfer of powers and duties from the Kansas health policy authority and hospital provider assessment; amending K.S.A. 22-4612 and K.S.A. 2011 Supp. 2-224a, 38-2001, 38-2006, 39-760, 39-7,116, 39-7,118, 39-7,119, 39-7,120, 39-7,121, 39-7,121a, 39-7,121d, 39-7,121e, 39-7,159, 39-968, 40-2134, 40-2136, 40-2251, 40-2252, 40-4702, 40-4706, 46-3501, 65-435a, 65-1685, 65-6208, 65-6801, 65-6803, 65-6804, 65-6805, 65-6806, 65-6807, 65-6809, 65-7405, 75-37,121, 75-5601, 75-6102, 75-7403, 75-7404, 75-7405, 75-7408, 75-7409, 75-7410, 75-7411, 75-7412, 75-7413, 75-7423, 75-7424, 75-7425, 75-7426, 75-7427, 75-7429, 75-7430, 75-

7433, 75-7435, 75-7436 and 77-421 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 75-7401, 75-7402, 75-7414, 75-7415, 75-7416, 75-7417, 75-7418, 75-7419, 75-7420, 75-7421, 75-7422 and 75-7428.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux, Mesa.

On motion of Rep. M. Holmes, the House concurred in Senate amendments to **HB 2461**, AN ACT concerning retirement and benefits, relating to the Kansas public employees retirement fund; alternative investments; amending K.S.A. 2011 Supp. 74-4921 and repealing the existing section.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bollier, DeGraaf, Kinzer, Rubin, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux, Mesa.

On motion of Rep. C. Holmes, the House concurred in Senate amendments to **S Sub for HB 2526**, AN ACT concerning energy; relating to the state corporation commission,

powers and duties; amending K.S.A. 55-152 and 66-131 and K.S.A. 2011 Supp. 66-1257 and 66-1260 and repealing the existing sections.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Tyson.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

On motion of Rep. Landwehr, the House concurred in Senate amendments to **Sub HB 2659**, AN ACT relating to speech-language pathologists and audiologists; amending K.S.A. 65-6501, 65-6502 and 65-6503 and repealing the existing sections.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Tyson.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

On motion of Rep. Landwehr, the House concurred in Senate amendments to **HB 2660**, AN ACT concerning the department of health and environment; relating to the licensure of maternity centers and child care facilities; amending K.S.A. 2011 Supp. 65-

503, 65-504, 65-506, 65-508, 65-516, 65-523 and 65-524 and repealing the existing sections; also repealing K.S.A. 65-502.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

On motion of Rep. Peck, the House concurred in Senate amendments to **HB 2674**, AN ACT concerning the Kansas highway patrol; relating to the administration of the highway patrol; amending K.S.A. 2011 Supp. 74-2105 and repealing the existing section; also repealing K.S.A. 74-2112, 74-2116, 74-2119, 74-2125 and 74-2133.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: D. Gatewood, Lane.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

On motion of Rep. C. Holmes, the House concurred in Senate amendments to **HB 2685**, AN ACT concerning water; relating to reservoir improvement districts.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlson, Hildabrand, Kinzer, O'Hara, Tyson.

Present but not voting: None.

Absent or not voting: LeDoux, Mesa.

On motion of Rep. Carlson, the House nonconcurrent in Senate amendments to **S Sub for HB 2454** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Gordon, Kleeb and Winn as conferees on the part of the House.

On motion of Rep. Siegfried, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6025—

By Representative Goico

A RESOLUTION supporting the efforts of the Operation Freedom Memorial Foundation, Inc. to establish a war memorial in Veterans Memorial Park in Wichita, Kansas.

WHEREAS, The proposed war memorial will be dedicated to the Kansas men and women serving in the United States Armed Forces who sacrificed their lives in the terrorist attack on the Pentagon on September 11, 2001 and during the military operations: Desert Storm; Iraqi Freedom; Enduring Freedom; New Dawn and other acts of terrorism; and

WHEREAS, More than 5,000 members of the United States Armed Forces have lost their lives in these military campaigns; and

WHEREAS, More than 48,000 members of the United States Armed Forces have

been wounded in action in these military campaigns; and

WHEREAS, 83 Kansans have lost their lives and numerous Kansans have been wounded in action in these military campaigns; and

WHEREAS, This is the first war memorial honoring fallen Kansas service members lost during these conflicts in the state of Kansas; and

WHEREAS, The names of Kansas fallen members of the Armed Forces will be engraved on the granite walls of the Operation Freedom Memorial; and

WHEREAS, This war memorial will bring recognition to all United States armed forces members, past and present, by the granite paving stones which will honor them: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the efforts of the Operation Freedom Memorial Foundation, Inc. to establish the Operation Freedom Memorial are applauded; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the President of the Operation Freedom Memorial Foundation, Inc.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee reports recommending a substitute bill to **H Sub for H Sub for SB 176** be adopted; also, on motion of Rep. Patton to amend, the motion did not prevail. Also, on motion of Rep. Kuether to amend, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Davis to amend **H Sub for H Sub for SB 176** on page 2, following line 17, by inserting:

"Sec. 4. (a) The congressional districts established pursuant to sections 5 through 8, and amendments thereto, shall be based on the official United States 2010 decennial census. Such districts shall be as nearly equal to 713,280 in population as practicable.

(b) Such congressional districts shall not have the purpose or effect of diluting minority voting strength.

(c) Subject to the requirements of subsection (a), such congressional districts shall:

- (1) Preserve communities of interest;
- (2) preserve the core of existing congressional districts; and
- (3) be contiguous and as compact as possible.

(d) The legislature hereby declares that county lines are meaningful in Kansas and Kansas counties historically have been significant political units. Many officials are elected on a countywide basis, and political parties have been organized in county units. Election of the Kansas members of congress is a political process requiring political organizations which in Kansas are developed in county units. To a considerable degree most counties in Kansas are economic, social and cultural units, or parts of a larger socioeconomic unit. Subject to the requirements of subsection (a), such congressional districts shall maintain whole counties within the same congressional district.

(e) For the purposes of this section, the term "communities of interest" means those areas in which social, cultural, racial, ethnic and economic interests are common to the population of such area, and are probable subjects of legislation.";

And by renumbering sections accordingly;

On roll call, the vote was: Yeas 34; Nays 81; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Bethell, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Pauls, Phelps, Roth, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grosserode, Hayzlett, Hedke, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Crum, Gregory, Hermanson, Landwehr, LeDoux, Mesa, Montgomery, Peterson, Schroeder, Shultz.

The motion of Rep. Davis did not prevail; and **H Sub for H Sub for SB176** be passed.

Committee report to **HB 2572** be adopted; also, on motion of Rep. D. Gatewood be amended on page 2, in line 15, by striking all after the period; by striking all in lines 16 through 22; and the bill be passed as amended.

Committee report to **HB 2694** be adopted; also, on motion of Rep. Brown to amend, the motion did not prevail; and the bill be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 142** be adopted; also, on motion of Rep. Kinzer be amended on page 3, in line 4, before the second "or" by inserting ", juvenile correctional facility";

Also, on motion of Rep. Ballard to amend **H Sub for SB 142**, the motion did not prevail. Also, on motion of Rep. Carlin to amend, the motion did not prevail.

Also, roll call was demanded on motion to recommend **H Sub for SB 142** favorably for passage.

On roll call, the vote was: Yeas 89; Nays 27; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meier, Meigs, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Powell, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Bollier, Carlin, Davis, Dillmore, Finney, Flaharty, S. Gatewood, Gordon, Henderson, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Pottorff,

Prescott, Roth, Ruiz, Slattery, Sloan, Tietze, Trimmer, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: Crum, Grant, LeDoux, Mesa, Montgomery, O'Neal, Peterson, Shultz, Spalding.

The motion prevailed and **H Sub for SB 142** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 62** be adopted; also, on motion of Rep. Tietze to amend, the motion did not prevail; and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 311** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 311," as follows:

"HOUSE Substitute for SENATE BILL NO. 311

By Committee on Appropriations

"AN ACT concerning the board of nursing; relating to assistant attorneys general; amending K.S.A. 74-1111 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 311** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **SB 275** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 275," as follows:

"HOUSE Substitute for SENATE BILL NO. 275

By Committee on Federal and State Affairs

"AN ACT establishing a program of drug screening for cash assistance recipients; amending K.S.A. 2011 Supp. 39-709 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 275** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **SB 299** be amended on page 1, in line 34, by striking ", which may include all premises which are in close proximity and"; in line 35, by striking "are under the control of the applicant or licensee";

On page 2, following line 1, by inserting:

"(c) The term "designated areas" for purposes of this section shall mean an area identified in the license application, which may include suites, that has controlled access and is separated from the general admission by a barrier.";

On page 12, in line 38, by striking "subsections" and inserting "subsection"; in line 39, by striking "or" and inserting a comma; also in line 39, after "establishment" by inserting "or public venue"; in line 43, by striking "equal to not less than \$200 nor" and inserting "not";

On page 13, by striking all in lines 1 through 6; in line 7, by striking "(d)"; and inserting "(c)"; in line 8, by striking "or (c)"; in line 11, by striking "(e)" and inserting "(d)"; and the bill be passed as amended.

Committee on **Pensions and Benefits** recommends **HB 2786** be passed.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2790, AN ACT concerning corrections; relating to the purchase of land, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **Sub SB 39** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **SB 305** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

MESSAGE FROM THE GOVERNOR

Sub HB 2166; HB 2412, HB 2420, HB 2468; Sub HB 2470; HB 2546, HB 2599, HB 2600, HB 2618, HB 2666, HB 2672 approved on March 28, 2012.

MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 74**.

The Senate concurs in House amendments to **SB 301**.

The Senate concurs in House amendments to **SB 303**, and requests return of the bill.

The Senate concurs in House amendments to **SB 424**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6026**—

By Committee on Federal and State Affairs

A RESOLUTION requesting the Kansas Department of Health and Environment to conduct a study regarding tobacco harm reduction.

WHEREAS, States have pursued for decades policies intended to encourage citizens who smoke to quit, and to discourage others who do not smoke from starting; and

WHEREAS, While cigarette smoking rates have declined substantially over the period from 1965-2004, the rate of decline has slowed in recent years and the Centers for Disease Control and Prevention estimates that approximately 19% of Americans continue to smoke cigarettes, which remain the most popular form of tobacco in the United States; and

WHEREAS, While cigarettes are the most popular form of tobacco, questions have been raised with regards to the relative risk of various forms of tobacco; and

WHEREAS, While no tobacco product has been shown to be safe, questions have been raised whether smokeless tobacco might present less risk of disease and premature death than cigarettes; and

WHEREAS, Numerous public health organizations, such as the Institute of Medicine, the American Council on Science and Health, the Royal College of Physicians and the World Health Organization have recognized that there is a continuum of risk among tobacco product types, and that the risks associated with cigarette use are substantially higher than those associated with the use of non-combustible products; and

WHEREAS, While abstaining from all tobacco is clearly the best, most effective way for smokers to reduce their risk of disease and premature death, it is appropriate for the health community to consider whether those who will not abstain can reduce their risk of disease and premature death by switching from cigarettes to other tobacco products; and

WHEREAS, Research shows that 85% of U.S. smokers are unaware that smokeless tobacco products might present less risk than cigarettes; and

WHEREAS, The risk of death and disease associated with the use of smokeless tobacco products has been argued by some health researchers to be at least 90% less than the health risks associated with cigarette smoking; and

WHEREAS, The states of Kentucky and Indiana have previously recognized the concept of relative risk of tobacco products; and

WHEREAS, The public can only make wise health choices about their behavior when they have access to adequate and accurate health risk information regarding tobacco products or other health issues: Now, therefore,

Be it resolved by the House of Representatives of the state of Kansas: That the Kansas Department of Health and Environment (KDHE) should undertake an analysis and study of the subject known as Tobacco Harm Reduction (THR) and should determine whether THR should be included as one component of a comprehensive tobacco control strategy, complementing current efforts to increase smoking cessation and reduce smoking initiation; and

Be it further resolved: That KDHE report back to the 2013 Legislature regarding the following issues:

1. The relative risk of death and disease from use of cigarettes versus non-combustible (smokeless) tobacco products;
2. Whether the state of Kansas should further explore efforts to promote the concept of Tobacco Harm Reduction if KDHE determines that there is significantly less risk of disease or death resulting from use of smokeless tobacco products versus cigarettes;
3. Whether the public is entitled to know and would benefit from an awareness of accurate information regarding the relative health risks from use of smokeless tobacco products versus cigarettes;
4. Whether the public would benefit from the state of Kansas actively promoting release of accurate information regarding the relative risk of disease and death from use of smokeless tobacco products versus cigarettes; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Secretary of the Department of Health and Environment.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Thursday, March 29, 2012.

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 29, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

Rep. LeDoux was excused on verified illness.

Prayer by guest chaplain, the Rev. Jess Allen, pastor, Lamont Wesleyan Church, and guest of Rep. Mast:

As we prepare for this legislative session today I bring words from King David in Psalm 61:1–4 (NLT)

¹O God, listen to my cry! Hear my prayer! ²From the ends of the earth, I cry to you for help when my heart is overwhelmed. Lead me to the towering rock of safety,

³for you are my safe refuge, a fortress where my enemies cannot reach me. ⁴Let me live forever in your sanctuary, safe beneath the shelter of your wings!

In these times when people are thinking differently about you and our world we are in desperate need of your wisdom and involvement in all we do. I ask Father that you would lift up these men and women as each day they make decisions that have far reaching impact. The weight of these decisions can take a high toll on not just their public life, but also on their private life.

As they are reminded Father of responsibility toward our state, I pray that they will find peace in the midst of the daily challenge of building consensus and I ask for restoration of broken relationships. May your Spirit of power, love, and self-discipline rule in this chamber. In Jesus name I pray, Amen.

The Pledge of Allegiance was led by Rep. Dillmore.

Kansas Trivia Question – A town north of Newton was named for a sea captain who transported Mennonite immigrants from Europe to America and drowned saving passengers on a return voyage. What is the name of the town?

Answer: Goessel

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Appropriations: **HB 2790, SB 427.**

Corrections and Juvenile Justice: **SB 453.**

Health and Human Services: **Sub SB 459.**

Veterans, Military and Homeland Security: **HR 6025.**

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution appearing on the Calendar as "To Be Referred" was referred to committee as indicated:

Federal and State Affairs: **HR 6026.**

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Grosserode, **HR 6024**, A resolution designating every Sunday as "Cooking With Kids Day," was adopted.

On motion of Rep. Gordon, **HR 6023**, A resolution encouraging participation in the American Public Health Association and the Kansas Public Health Association National Public Health Week, April 2-8, 2012, was adopted.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2572, AN ACT concerning the adjutant general; relating to the funding for disasters; creating the disaster reimbursement fund and the Kansas emergency management and homeland security fund, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: LeDoux.

The bill passed, as amended.

HB 2694, AN ACT concerning the state capitol building; requiring the establishment of a capitol prayer and meditation room, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 17; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Brunk, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bollier, Brown, Burgess, Burroughs, Donohoe, Feuerborn, Finney, Flaharty, S. Gatewood, Gordon, Henderson, Henry, Landwehr, Lane, McLeland, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: LeDoux.

The bill passed, as amended.

H Sub for SB 62, AN ACT concerning medical care facilities; relating to abortion; sterilization; amending K.S.A. 65-443, 65-446 and 65-447 and K.S.A. 2011 Supp. 65-444 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 95; Nays 29; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Bollier, Carlin, Colloton, Davis, Dillmore, Finney, Flaharty, S. Gatewood, Gordon, Henderson, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Pottorff, Roth, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, Victors, Ward, Winn, K. Wolf.

Present but not voting: None.

Absent or not voting: LeDoux.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **H Sub for HB 62** because of the bill's unintended consequences. One of the side effects of high dose chemotherapy for advanced or metastatic cancer is sterilization. An oncologist who knows that and has an objection to sterilization could, under this bill, refuse cancer treatment to a woman and refuse to refer her to someone who will treat her, potentially resulting in the death of the woman.

– JUDITH LOGANBILL, ANNIE KUETHER

MR. SPEAKER: Seeking medical help involves not only the provider but also the patient. This bill deprives the patient of the right to a referral for the treatment or information they might need. If this wasn't a concern, nationally recognized organizations would not feel the need to include that referral in their policy statements. We represent all Kansans, patients and health care providers. I vote no on **H Sub for SB 62**. – ANNIE TIETZE, GAIL FINNEY, BARBARA BOLLIER, CHARLIE ROTH, ED TRIMMER, LOUIS RUIZ, HAROLD LANE, GERALDINE FLAHARTY, BRODERICK HENDERSON, MELODY MCCRAY-MILLER, SYDNEY CARLIN, VALDENIA WINN, PAUL DAVIS, BARBARA BALLARD

H Sub for SB 142, AN ACT concerning civil procedure; relating to exercise of religion, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 33; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Bethell, Bollier, Burroughs, Carlin, Davis, Dillmore, Finney, Flaharty, Frownfelter, S. Gatewood, Gordon, Grant, Henderson, Hill, Hineman, Johnson, Kuether, Lane, Loganbill, Mah, McCray-Miller, Pottorff, Roth, Ruiz, Slattery, Sloan, Tietze, Trimmer, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: LeDoux.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: The State of Kansas Constitution holds one of the strongest codified definitions of religious liberty. So, we know that **H Sub for SB 142** is not about religious freedom **and** it's not just about cities and counties.

H Sub for SB 142 will affect every Regent's university that protects sexual orientation. It will affect every State of Kansas employee who is currently covered by the policy protecting state employees from discrimination based on sexual orientation.

H Sub for SB 142 is unnecessary and discriminatory. I vote no. – MELODY MCCRAY-MILLER

MR. SPEAKER: Over the years we have seen a lot of gotcha bills. **H Sub for SB 142** is one of those bills. It implies that people's religious freedom is at risk. However, what it really does is discriminate against certain people. This may warrant a post card during the election cycle, but we still have to vote "NO." – BOB GRANT, ED TRIMMER

MR. SPEAKER: As a minority woman I have been discriminated against my whole life. Therefore, I oppose anything that legalizes discrimination, and that is why I am voting no on **H Sub for SB 142**. – PONKA-WE VICTORS

MR. SPEAKER: I strongly support protecting the constitutional right to freedom of religion and agree with the vast majority of what is contained in this bill. But this bill has a provision that has the effect of nullifying the ability of a city or county to craft an anti-discrimination ordinance that reflects the desires of their particular community. This is the antithesis of local control and for these reasons I vote NO on **H Sub for SB 142**. – PAUL DAVIS, GAIL FINNEY, ANNIE TIETZE, ANNIE KUETHER, BARBARA BALLARD, TOM SLOAN, CHARLIE ROTH, SYDNEY CARLIN, LOUIS RUIZ, ANN MAH, NILE DILLMORE, GERALDINE FLAHARTY, HAROLD LANE, BRODERICK HENDERSON, MIKE SLATTERY, JUDITH LOGANBILL, VALDENIA WINN, BARBARA BOLLIER

H Sub for H Sub for SB 176, AN ACT concerning redistricting; relating to congressional districts; relating to state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141, 4-142, 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Mast, McLeland, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto,

Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Brown, Burgess, Burroughs, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goodman, Gordon, Henderson, Henry, Hildabrand, Kinzer, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, O'Hara, Patton, Pauls, Peck, Peterson, Phelps, Ruiz, Slattery, Smith, Tietze, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: LeDoux.

The substitute bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Hayzlett, the House nonconcurred in Senate amendments to **HB 2757** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as conferees on the part of the House.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Kinzer in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kinzer, Committee of the Whole report, as follows, was adopted: Recommended that **SB 387** be passed.

Committee report recommending a substitute bill to **H Sub for SB 40** be adopted; and the substitute bill be passed.

On motion of Rep. Ward to amend **HB 2789**, Rep. Crum requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the amendment of Rep. Ward.

Also, roll call was demanded on motion of Rep. Crum to refer **HB 2789** to Committee on Appropriations.

On roll call, the vote was: Yeas 69; Nays 54; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Nays: Ballard, Bethell, Bollier, Brookens, Burroughs, Calloway, Carlin, Collins, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Roth, Ruiz, Schroeder, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: Kiegerl.

Absent or not voting: LeDoux.

The motion of Rep. Crum prevailed, and **HB 2789** be rereferred to Committee on Appropriations.

MESSAGE FROM THE GOVERNOR

Sub HB 2207; HB 2335, HB 2491, HB 2669, HB 2675, HB 2677, HB 2683 approved on March 29, 2012.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Burgess, the House nonconcurrred in Senate amendments to **HB 2649** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

In accordance with House Rule 1309, Rep. Grant moved that **HB 2002** be withdrawn from Committee on Federal and State Affairs, and also, pursuant to House Rule 2311, in accordance with House Rule 1503(b), that the bill be placed on General Orders as the second order of business on March 30, 2012.

The Chief Clerk of the House is directed to cause this motion to be printed in the Calendar of March 30 under the order of business "Consideration of Motions and Resolutions Offered on a Previous Day" as provided by House Rule 1309.

In accordance with House Rule 1309, Rep. O'Hara moved that **HB 2577** be withdrawn from Committee on Federal and State Affairs, and also, pursuant to House Rule 2311, in accordance with House Rule 1503(b), that the bill be placed on General Orders as the first order of business on March 30, 2012.

The Chief Clerk of the House is directed to cause this motion to be printed in the Calendar of March 30 under the order of business "Consideration of Motions and Resolutions Offered on a Previous Day" as provided by House Rule 1309.

REPORT ON ENGROSSED BILLS

S Sub for HB 2526; Sub HB 2659 reported correctly engrossed March 28, 2012.

Also, **HB 2461** reported correctly re-engrossed March 28, 2012.

HB 2572, HB 2694 reported correctly engrossed March 29, 2012.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5006 reported correctly engrossed March 28, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6022 reported correctly enrolled and properly signed on March 29, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Friday, March 30, 2012.

Journal of the House

FIFTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 30, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. LeDoux was excused on verified illness.

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

Reps. Aurand and Ballard were excused later in the day on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
As we wind down this session,
thank You for Your faithfulness.
Thank You for all that has been accomplished—
for the wisdom and discernment You have given us—
and for allowing us to work together
in the midst of differing views.
Be with the leaders today as they continue to bring closure
to some resolutions and issues.
As I have prayed for leaders to put aside differences
and to work together,
may it be written in the Book of Life
that this Wildcat is putting aside her differences,
to thank You for the skills and talents
of the basketball team from east of here.
I ask for You to help them to play strong
and to represent Kansas well this weekend.
In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Ballard.

Kansas Trivia Question – This weekend's Final Four is the first without a state with any coastline since 1951. Who were the four teams, and what was the Kansas connection with each of the four teams?

Answer: Kentucky (Adolf Rupp played at KU, learned under Phog Allen and coached Kentucky); Kansas State; Illinois (later coached by Bill Self); and Oklahoma State (where Bill Self played).

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Davis, **HCR 5034**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HCR 5034, A CONCURRENT RESOLUTION relating to the 2012 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

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: That the 2012 regular session of the legislature shall be extended beyond 90 calendar days; and

Be it further resolved: That the legislature shall adjourn at the close of business of the daily session convened on March 30, 2012, and shall reconvene at 10:00 a.m. on April 25, 2012; and

Be it further resolved: That the legislature may adjourn and reconvene at any time during the period on and after April 25, 2012, to June 1, 2012, but the legislature shall reconvene at 10:00 a.m. on June 1, 2012, at which time the legislature shall continue in session and shall adjourn *sine die* at the close of business on June 1, 2012; and

Be it further resolved: That the secretary of the senate and the chief clerk of the house of representatives and employees specified by the director of legislative administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in subsections (a) and (b) of K.S.A. 46-137a, and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council or by the President of the Senate or the Speaker of the House of Representatives and members of a conference committee attending a meeting of the conference committee authorized by the President of the Senate and the Speaker of the House of Representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

COMMUNICATIONS FROM STATE OFFICERS

From Martin Eckhardt, Director, Office of Management Analysis and Standards, Kansas Department of Administration, Comprehensive Annual Financial Report, July 1, 2010 to June 20, 2011.

The complete report is on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **H Sub for SB 425**, requests a

conference and has appointed Senators Owens, King and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2454** and has appointed Senators Johnson, Schodorf and Kelly as conferees on the part of the Senate.

Also, announcing passage of **HB 2562**, as amended; **Sub HB 2689**, as amended.

The Senate adopts the Conference Committee report on **HB 2432**.

The Senate adopts the Conference Committee report on **HB 2631**.

The Senate accedes to the request of the House for a conference on **HB 2757** and has appointed Senators Umbarger, Marshall and Kultala as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 425**.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

CONSIDERATION OF VETOED BILLS

The Governor's objection to **HB 2624** having been read March 26, 2012 (see HJ, page 2268), the time arrived for reconsideration of **HB 2624**, AN ACT concerning counties; relating to oil and gas valuation depletion; distribution of trust fund moneys; administrative fee; amending K.S.A. 2011 Supp. 19-101a and 79-4231 and repealing the existing sections.

There was no motion to reconsider. The chair ruled the bill had been reconsidered and the veto sustained.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Grange, **HR 6027**, by Reps. Mah, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6027**—

A RESOLUTION designating March 30 as "Welcome Home Vietnam Veterans Day."

WHEREAS, Members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961; and

WHEREAS, In 1965, United States Armed Forces ground combat units arrived in Vietnam; and

WHEREAS, By the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached; and

WHEREAS, On January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, On March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam; and

WHEREAS, More than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded; and

WHEREAS, The Vietnam War was an extremely divisive issue among the people of the United States and was also a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans; and

WHEREAS, Members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by four presidential administrations in the United States; and

WHEREAS, The establishment of a "Welcome Home Vietnam Veterans Day" would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That March 30 shall hereby be designated as "Welcome Home Vietnam Veterans Day" in the state of Kansas in order to honor and recognize the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace; and

Be it further resolved: That the people of Kansas are encouraged to observe "Welcome Home Vietnam Veterans Day" with appropriate ceremonies and activities that provide the appreciation Vietnam War veterans deserve but did not receive upon returning home from the war; and

Be it further resolved: That local communities are encouraged to promote opportunities for such veterans to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen, and to support the reintegration of younger veterans into civilian life; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Mah.

There being no objection, the following remarks of Reps. Meier and Grange are spread upon the journal:

Remarks by Rep. Meier:

March 30 marks the anniversary of the date of the withdrawal of US combat units from the former South Vietnam in 1973 under the Treaty of Paris. In many cases, our veterans were not welcomed back with gratitude and were too often blamed for the failings of the war.

This is why Kansas and other States across the union have established March 30 as “Welcome Home Vietnam Veterans Day”. Communities across the State have followed our lead and begun actively recognizing our Vietnam Veterans. Cities such as Leavenworth, Kansas which issued a proclamation recognizing their local Vietnam Veterans, and included them as part of their televised City Commission meeting this week.

We have with us in the Capitol today members of the Danny J. Petersen Vietnam Veterans of America Chapter 604 from Topeka, and Vietnam Veterans of America Chapter 75 from Leavenworth, and Vietnam Veteran, Wayne Bollig, from the Kansas Commission on Veterans Affairs.

Our own House member and Vietnam veteran, Rep. Grange, will tell us more about the Welcome Home effort. And we would like to invite down to the well any other Vietnam veterans serving in the House of Representatives or spouses of Vietnam Veterans in the House at this time.

Remarks by Rep. Grange:

In 1998, Vietnam Veteran Jose G. Ramos participated in a 1250 mile bicycle ride through Vietnam. The documentary of the ride, “Vietnam, Long Time Coming”, won an Oscar.

In 2000, Ramos began a campaign for a Welcome Home Vietnam Veterans Day. To raise awareness, he rode his bicycle from his home in California to Washington, D.C., asking that March 30 be proclaimed as our national Welcome Home day.

In 2007 the United States Congress unanimously passed House Resolution 189 proclaiming March 30 as national Welcome Home Vietnam Veterans Day. Later the US Senate followed suit. The Kansas Legislature is proud to join in this recognition.

More than 58,000 members of the United States Armed Forces lost their lives and more than 300,000 were wounded in Vietnam. The establishment of a “Welcome Home Vietnam Veterans Day” serves as a small way to honor these men and women who served our country in Vietnam throughout the war.

I would now like to ask that veterans of any other US war or combat operation stand and be recognized.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Gregory, **HR 6020**, A resolution commemorating the Kansas Angels at Sunset Centennial, was adopted.

There being no objection, the following remarks of Rep. Gregory are spread upon the Journal:

Kansas has experienced two wars of great significance: The civil war, who’s first shot was fired in Kansas during the Battle of Black Jack near Baldwin City, and the war women fought for their freedom to vote for their Congressional Representatives.

At the Wyandotte Constitutional convention of 1859, a suffragette reportedly urged

women to revolt and refuse to marry if men didn't grant them their rights. Although she did not gain full voting rights, her speech did garner the right to vote in school elections.

In 1867, Kansas was the first state in the Union to consider full suffrage for women.

In 1887, Gov. John A. Martin signed into law the right for women to vote in municipal elections, making Kansas the first state in the nation to grant such voting rights to women. That election gave us the first woman mayor in America, from Argonia, and 5 city councilwomen from Syracuse.

In 1912, Kansas granted full suffrage to all women. It inspired and reinvigorated the passage of the 19th Amendment to the United States Constitution in 1920, assuring all women in the nation the right to vote.

The Author of "Angels at Sunset," Tom Mach, brought to my attention the need to honor these courageous Kansas women. I am happy to present him with a limited edition House of Representatives mug depicting the Centennial celebration of Kansas Women's Suffrage.

One hundred years ago women had no voice in Kansas. Today we do! And we applaud the pioneer women of the past who changed not only their future, but every Woman standing before you today.

Rep. Gregory presented a limited edition Kansas mug honoring "Women's Suffrage to Tom Mach.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

The motion of Rep. Grant, in accordance with subsection (b) of House rule 1309, that **HB 2002**, be withdrawn from Committee on Federal and State Affairs, and also, pursuant to House Rule 2311, in accordance with House Rule 1503(b), that the bill be placed on the calendar under the order of business, General Orders, as the second order of business on March 30, 2012, was considered.

Not having received the required 70 votes, the motion did not prevail.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

The motion of Rep. O'Hara, in accordance with House Rule 1309, that **HB 2577** be withdrawn from Committee on Federal and State Affairs, and also, pursuant to House Rule 2311, in accordance with House Rule 1503(b), that the bill be placed on General Orders as the first order of business on March 30, 2012, was considered.

On request, the question was divided and the House considered the first part of the motion, in accordance with House Rule 1309. Not having received the required 70 votes, the motion did not prevail.

The second part of the motion, therefore, was not considered.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 40, AN ACT concerning the Kansas bioscience authority; amending K.S.A. 2011 Supp. 74-99b04, 74-99b08 and 74-99b17 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

The substitute bill passed.

SB 387, AN ACT concerning the state fire marshal; relating to the qualifications of the office; amending K.S.A. 2011 Supp. 75-1510 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, Feuerborn, D. Gatewood, Grant, Lane, Phelps, Ward.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

The bill passed.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 334** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-247 is hereby amended to read as follows: 8-247. (a) (1) All original licenses shall expire as follows:

(A) Licenses issued to persons who are at least 21 years of age, but less than 65 years of age shall expire on the sixth anniversary of the date of birth of the licensee which is nearest the date of application;

(B) licenses issued to persons who are 65 years of age or older shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application;

(C) any commercial drivers license shall expire on the fourth anniversary of the date of birth of the licensee which is nearest the date of application;

(D) licenses issued to an offender, as defined in K.S.A. 22-4902, and amendments thereto, who is required to register pursuant to the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall expire every year on the date of birth of the licensee; or

(E) licenses issued to persons who are less than 21 years of age shall expire on the licensee's ~~twenty-first~~ 21st birthday.

(2) All renewals under: (A) Paragraph (1) (A) shall expire on every sixth anniversary of the date of birth of the licensee; (B) paragraph (1) (B) and (C) shall expire on every fourth anniversary of the date of birth of the licensee; (C) paragraph (1) (D) shall expire every year on the date of birth of the licensee; and (D) paragraph (1) (E), if a renewal license is issued, shall expire on the licensee's ~~twenty-first~~ 21st birthday. No driver's license shall expire in the same calendar year in which the original license or renewal license is issued, except that if the foregoing provisions of this section shall require the issuance of a renewal license or an original license for a period of less than six calendar months, the license issued to the applicant shall expire in accordance with the provisions of this subsection.

(b) If the driver's license of any person expires while such person is outside of the state of Kansas and such person is on active duty in the armed forces of the United States, or is the spouse or a person who is residing with and is a dependent of such person on active duty, the license of such person shall be renewable, without examination, at any time prior to the end of the sixth month following the discharge of such person from the armed forces, or within 90 days after residence within the state is reestablished, whichever time is sooner. If the driver's license of any person under this subsection expires while such person is outside the United States, the division shall provide for renewal by mail, as long as the division has a photograph or digital image of such person maintained in the division's records. A driver's license renewed under the provisions of this subsection shall be renewed by mail only once.

(c) At least 30 days prior to the expiration of a person's license the division shall mail a notice of expiration or renewal application to such person at the address shown on the license. The division shall include with such notice a written explanation of substantial changes to traffic regulations enacted by the legislature.

(d) (1) Except as provided in paragraph (2), every driver's license shall be renewable on or before its expiration upon application and payment of the required fee and successful completion of the examinations required by subsection (e). Application for renewal of a valid driver's license shall be made to the division in accordance with rules and regulations adopted by the secretary of revenue. Such application shall contain

all the requirements of subsection (b) of K.S.A. 8-240, and amendments thereto. Upon satisfying the foregoing requirements of this subsection, and if the division makes the findings required by K.S.A. 8-235b, and amendments thereto, for the issuance of an original license, the license shall be renewed without examination of the applicant's driving ability. If the division finds that any of the statements relating to revocation, suspension or refusal of licenses required under subsection (b) of K.S.A. 8-240, and amendments thereto, are in the affirmative, or if it finds that the license held by the applicant is not a valid one, or if the applicant has failed to make application for renewal of such person's license on or before the expiration date thereof, the division may require the applicant to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

(2) Any licensee, whose driver's license expires on their ~~twenty-first~~ 21st birthday, shall have ~~45~~ 15 days from the date of expiration of such license to make application to renew such licensee's license. Such license shall continue to be valid for such ~~45~~ 15 days or until such license is renewed, whichever occurs sooner. A licensee who renews under the provisions of this paragraph shall not be required by the division to take an examination of ability to exercise ordinary and reasonable control in the operation of a motor vehicle as provided in K.S.A. 8-235d, and amendments thereto.

(e) (1) Prior to renewal of a driver's license, the applicant shall pass an examination of eyesight. Such examination shall be equivalent to the test required for an original driver's license under K.S.A. 8-235d, and amendments thereto. A driver's license examiner shall administer the examination without charge and shall report the results of the examination on a form provided by the division.

(2) In lieu of the examination of the applicant's eyesight by the examiner, the applicant may submit a report on the examination of eyesight by a physician licensed to practice medicine and surgery or by a licensed optometrist. The report shall be based on an examination of the applicant's eyesight not more than three months prior to the date the report is submitted, and it shall be made on a form furnished by the division to the applicant.

(3) The division shall determine whether the results of the eyesight examination or report is sufficient for renewal of the license and, if the results of the eyesight examination or report is insufficient, the division shall notify the applicant of such fact and return the license fee. In determining the sufficiency of an applicant's eyesight, the division may request an advisory opinion of the medical advisory board, which is hereby authorized to render such opinions.

(4) An applicant who is denied a license under this subsection (e) may reapply for renewal of such person's driver's license, except that if such application is not made within 90 days of the date the division sent notice to the applicant that the license would not be renewed, the applicant shall proceed as if applying for an original driver's license.

(5) When the division has good cause to believe that an applicant for renewal of a driver's license is incompetent or otherwise not qualified to operate a motor vehicle in accord with the public safety and welfare, the division may require such applicant to submit to such additional examinations as are necessary to determine that the applicant is qualified to receive the license applied for. Subject to paragraph (6) of this subsection, in so evaluating such qualifications, the division may request an advisory

opinion of the medical advisory board which is hereby authorized to render such opinions in addition to its duties prescribed by subsection (b) of K.S.A. 8-255b, and amendments thereto. Any such applicant who is denied the renewal of such a driver's license because of a mental or physical disability shall be afforded a hearing in the manner prescribed by subsection (c) of K.S.A. 8-255, and amendments thereto.

(6) Seizure disorders which are controlled shall not be considered a disability. In cases where such seizure disorders are not controlled, the director or the medical advisory board may recommend that such person be issued a driver's license to drive class C or M vehicles and restricted to operating such vehicles as the division determines to be appropriate to assure the safe operation of a motor vehicle by the licensee. Restricted licenses issued pursuant to this paragraph shall be subject to suspension or revocation. For the purpose of this paragraph, seizure disorders which are controlled means that the licensee has not sustained a seizure involving a loss of consciousness in the waking state within six months preceding the application or renewal of a driver's license and whenever a person licensed to practice medicine and surgery makes a written report to the division stating that the licensee's seizures are controlled. The report shall be based on an examination of the applicant's medical condition not more than three months prior to the date the report is submitted. Such report shall be made on a form furnished to the applicant by the division. Any physician who makes such report shall not be liable for any damages which may be attributable to the issuance or renewal of a driver's license and subsequent operation of a motor vehicle by the licensee.

(f) If the driver's license of any person expires while such person is outside the state of Kansas, the license of such person shall be extended for a period not to exceed six months and shall be renewable, without a driving examination, at any time prior to the end of the sixth month following the original expiration date of such license or within 10 days after such person returns to the state, whichever time is sooner. This subsection (f) shall not apply to temporary drivers' licenses issued pursuant to subsection (b)(3) of K.S.A. 8-240, and amendments thereto.

(g) The division shall reference the website of the agency in a person's notice of expiration or renewal under subsection (c). The division shall provide the following information on the website of the agency:

(1) Information explaining the person's right to make an anatomical gift in accordance with K.S.A. 8-243, and amendments thereto, and the revised uniform anatomical gift act, K.S.A. 2011 Supp. 65-3220 through 65-3244, and amendments thereto;

(2) information describing the organ donation registry program maintained by the Kansas federally designated organ procurement organization. The information required under this paragraph shall include, in a type, size and format that is conspicuous in relation to the surrounding material, the address and telephone number of Kansas' federally designated organ procurement organization, along with an advisory to call such designated organ procurement organization with questions about the organ donor registry program;

(3) information giving the applicant the opportunity to be placed on the organ donation registry described in paragraph (2);

(4) inform the applicant that, if the applicant indicates under this subsection a willingness to have such applicant's name placed on the organ donor registry described

in paragraph (2), the division will forward the applicant's name, gender, date of birth and most recent address to the organ donation registry maintained by the Kansas federally designated organ procurement organization, as required by paragraph (6);

(5) the division may fulfill the requirements of paragraph (4) by one or more of the following methods:

(A) Providing such information on the website of the agency; or

(B) providing printed material to an applicant who personally appears at an examining station;

(6) if an applicant indicates a willingness under this subsection to have such applicant's name placed on the organ donor registry, the division shall within 10 days forward the applicant's name, gender, date of birth and most recent address to the organ donor registry maintained by the Kansas federally designated organ procurement organization. The division may forward information under this subsection by mail or by electronic means. The division shall not maintain a record of the name or address of an individual who indicates a willingness to have such person's name placed on the organ donor registry after forwarding that information to the organ donor registry under this subsection. Information about an applicant's indication of a willingness to have such applicant's name placed on the organ donor registry that is obtained by the division and forwarded under this paragraph shall be confidential and not disclosed.

(h) Notwithstanding any other provisions of law, any offender under subsection (a) (1)(D) who held a valid driver's license on the effective date of this act may continue to operate motor vehicles until the next anniversary of the date of birth of such offender. Upon such date such driver's license shall expire and the offender shall be subject to the provisions of this section.

(i) The director of the division of vehicles shall submit a report to the legislature at the beginning of the regular session in 2012 regarding the impact of not requiring a written test for the renewal of a driver's license, including any cost savings to the division.

Sec. 3. K.S.A. 2011 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a) The division may issue a restricted class C or M driver's license to any person who:

(1) Is at least 15 years of age;

(2) has successfully completed an approved course in driver training;

(3) has held an instructional permit issued under the provisions of K.S.A. ~~8-239-8-2,100~~, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the district of Columbia which has equivalent or greater requirements; and

(4) upon the written application of the person's parent or guardian, which shall be submitted to the division.

Any licensee issued a restricted license under this subsection, shall provide prior to

reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any job, employment or farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance;

(C) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(D) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

(A) From ~~5:00~~ a.m. to ~~9:00~~ p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. 8-239-8-2,100, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by

an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2) For a period of six months, a restricted license issued under subsection (c)(1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

(A) From ~~5:00~~ a.m. to ~~9:00~~ p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(d) (1) Any licensee issued a restricted license under subsection (a):

(A) Who is less than 16 years of age shall not operate any motor vehicle with nonsibling minor passengers; or

(B) who is at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.

(3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report illegal activity or to summons medical or other emergency help.

(f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.

(2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.

(3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of

damages.

(h) Any licensee issued a restricted license under:

(1) Subsection (a) who:

(A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.";

And by renumbering sections accordingly;

Also on page 2, in line 4, after "Supp." by inserting "8-247, 8-2,101 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "motor vehicles"; and inserting "driver's licenses"; in line 2, by striking the first semicolon and inserting a comma; in line 3, after "requirements;" by inserting "applications to renew; restricted licenses;"; also in line 3, after "Supp." by inserting "8-247, 8-2,101 and"; in line 4, by striking "section"; and inserting "sections";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

WILLIE PRESCOTT

VINCENT WETTA

Conferees on part of House

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

On motion of Rep. Hayzlett, the conference committee report on **SB 334** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood,

Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Powell, the House concurred in Senate amendments to **HB 2516**, AN ACT concerning water; relating to the Kansas water banking act; amending K.S.A. 2011 Supp. 82a-765, 82a-766 and 82a-767 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

On motion of Rep. Powell, the House concurred in Senate amendments to **HB 2517**, AN ACT concerning water; relating to the water right transition assistance program; amending K.S.A. 2011 Supp. 2-1930 and 2-1931 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson,

Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

On motion of Rep. Powell, the House concurred in Senate amendments to **HB 2563**, AN ACT concerning official state festivals; designating the official state wheat festival; official state watermelon festival.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 108; Nays 15; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Gregory, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Brown, Goodman, Grosserode, Kelley, Kiegerl, Kinzer, Landwehr, Mast, Meigs, O'Hara, Peck, Scapa, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Hedke, LeDoux.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 134, by Representative Meier, congratulating Janice Young, Leavenworth County Treasurer, on retiring after 30 years of service with the Leavenworth County Treasurer's Office;

Request No. 135, by Representative Meier, congratulating Sheriff David Zoellner

from the Leavenworth County Sheriff's Office on retiring after 45 years of service;

Request No. 136, by Representative Carlin, congratulating Chadwick Wayne Wolf on achieving the rank of Eagle Scout;

Request No. 137, by Representative Worley, congratulating Kansas Cold War Veterans Association in recognition of Cold War Victory Day on May 1, 2012;

Request No. 138, by Representative Winn, congratulating the Kansas City, Kansas Chapter of Delta Sigma Theta Sorority for their outstanding leadership and service to community, education and the State of Kansas;

Request No. 139, by Representative Winn, congratulating the Wichita Chapter of Delta Sigma Theta Sorority for their outstanding leadership and service to community, education and the state of Kansas;

Request No. 140, by Representative Winn, congratulating the Topeka Chapter of Delta Sigma Theta Sorority for their outstanding leadership and service to community, education and the state of Kansas;

Request No. 141, by Representative Winn, congratulating the Leavenworth Chapter of Delta Sigma Theta Sorority for their outstanding leadership and service to community, education and the state of Kansas;

Request No. 142, by Representative Winn, congratulating the Geary, Riley and Saline County Chapters of Delta Sigma Theta Sorority for their outstanding leadership and service to community, education and the state of Kansas;

Request No. 143, by Representative Brookens, congratulating Justin Barr on achieving the rank of Eagle Scout;

Request No. 144, by Representative Bethell, congratulating Sterling High School Men's Basketball Team as Division 2A Champions for 2012;

Request No. 145, by Representative Mah, congratulating Mr. Marvin Hornbostel on being named the 2012 Aviation Maintenance Technician of the Year by the Federal Aviation Administration;

Request No. 146, by Representative Henderson, congratulating Bishop L. F. Thuston for being elected to the position of Vice-Chairman of the Assembly of the Church of God in Christ, Inc;

Request No. 147, by Representative Gordon, congratulating Mitchell Walker on attaining the rank of Eagle Scout;

Request No. 148, by Representative Bowers, congratulating Jerry Schmidt on being selected 2012 Outstanding Teacher of the Year by the Smokey Valley Chapter of the Kansas Society of Professional Engineers;

Request No. 149, by Representative Bowers, congratulating Irene Saulnier on her 100th birthday;

Request No. 150, by Representative Phelps, congratulating Preston Weigal for being named Wrestler of the Year, finishing his sophomore season with a 39-1 record and winning the Class 5A State Title;

Request No. 151, by Representative Kiegerl, congratulating Grant Kenneth Chowins on achieving the rank of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 102** from the Calendar under the heading General Orders and referral to Committee on Redistricting.

On motion of Rep. Siegfried, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE GOVERNOR

HB 2429, HB 2496, HB 2507 approved on March 30, 2012.

MESSAGE FROM THE SENATE

Announcing passage of **HB 2743**.

Announcing passage of **HB 2077**, as amended by **S Sub for HB 2077**.

The Senate adopts the Conference Committee report on **H Sub for Sub HB 2004**.

The Senate adopts the Conference Committee report on **HB 2464**.

The Senate adopts the Conference Committee report on **HB 2505**.

The Senate adopts the Conference Committee report on **HB 2613**.

The Senate adopts the Conference Committee report on **HB 2684**.

The Senate adopts the Conference Committee report on **HB 2704**.

The Senate adopts the Conference Committee report on **HB 2757**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Brunk, the House nonconcurrred in Senate amendments to **Sub HB 2689** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Brunk, Patton and Loganbill as conferees on the part of the House.

On motion of Rep. Carlson, the House nonconcurrred in Senate amendments to **S Sub for HB 2117** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 315** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 315, as follows:

On page 11, in line 31, by striking "associated with the applicant" and inserting "proposing to acquire a"; also in line 31, by striking all after "company"; in line 32, by striking all before the period;

On page 13, in line 21, by striking "geographic";

On page 14, in line 19, by striking "geographic";
And your committee on conference recommends the adoption of this report.

FORREST J. KNOX
RICHARD J. PROEHL
BOB GRANT

Conferees on part of House

RUTH TEICHMAN
TY MASTERSON
ALLEN SCHMIDT

Conferees on part of Senate

On motion of Rep. Knox, the conference committee report on **H Sub for SB 315** was adopted.

On roll call, the vote was: Yeas 101; Nays 13; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, Donohoe, Garber, Goodman, Gregory, Hildabrand, Huebert, Kelley, Kinzer, O'Brien, O'Hara, Shultz.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Bethell, Colloton, Hedke, Hill, Hineman, LeDoux, McCray-Miller, Peterson, Roth.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2505** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 6, in line 9, after "conducted" by inserting "at which trust business is conducted";

And your committee on conference recommends the adoption of this report.

RUTH TEICHMAN
TY MASTERSON
ALLEN SCHMIDT

Conferees on part of Senate

FORREST J. KNOX
 RICHARD J. PROEHL
 BOB GRANT

Conferees on part of House

On motion of Rep. Knox, the conference committee report on **HB 2505** was adopted.

On roll call, the vote was: Yeas 115; Nays 1; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Bethell, Colloton, Hedke, LeDoux, McCray-Miller, Peterson, Roth.

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Rep. Kleeb as a member of the conference committee on **H Sub for SB 416** to replace Rep. Brown.

The House stood at ease until the sound of the gavel.

Speaker O'Neal called the House to order.

On motion of Rep. Siegfried, the House recessed until 5:30 p.m.

EARLY EVENING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 134** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Further Amended by House Committee of the Whole, as follows:

On page 1, in line 12, by striking all following "Section 1.";

Also on page 1, by striking all in lines 13 through 30;

By striking all on pages 2 through 57 and inserting:

"K.S.A. 2011 Supp. 65-1626 is hereby amended to read as follows: 65-1626. For the purposes of this act:

(a) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a, and amendments thereto.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser but shall not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Authorized distributor of record" means a wholesale distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is deemed to exist between such wholesale distributor and a manufacturer when the wholesale distributor, including any affiliated group of the wholesale distributor, as defined in section 1504 of the internal revenue code, complies with any one of the following: (1) The wholesale distributor has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship; and (2) the wholesale distributor is listed on the manufacturer's current list of authorized distributors of record, which is updated by the manufacturer on no less than a monthly basis.

~~(e)~~(e) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

~~(e)~~(f) "Brand exchange" means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed.

~~(f)~~(g) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

~~(g)~~(h) "Chain pharmacy warehouse" means a permanent physical location for drugs or devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of prescription drugs or devices to chain pharmacies that have the same ownership or control. Chain pharmacy warehouses must be registered as wholesale distributors.

~~(h)~~(i) "Co-licensee" means a pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a prescription drug and the national drug code on the drug product label shall be used to determine the identity of the drug manufacturer.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

~~(i)~~(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer

from one person to another of any drug whether or not an agency relationship exists.

~~(j)~~(l) "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a pharmacy student or pharmacy technician to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, and complete the final check before dispensing.

~~(k)~~(m) "Dispense" means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.

~~(h)~~(n) "Dispenser" means a practitioner or pharmacist who dispenses prescription medication.

~~(m)~~(o) "Distribute" means to deliver, other than by administering or dispensing, any drug.

~~(n)~~(p) "Distributor" means a person who distributes a drug.

~~(o)~~(q) "Drop shipment" means the sale, by a manufacturer, that manufacturer's exclusive distributor, of the manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of the manufacturer's prescription drug, to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug, and the pharmacy, the chain pharmacy warehouse, or other designated person authorized by law to dispense or administer such prescription drug receives delivery of the prescription drug directly from the manufacturer, that manufacturer's co-licensee, that manufacturer's third party logistics provider, or that manufacturer's exclusive distributor, of such prescription drug. Drop shipment shall be part of the "normal distribution channel."

~~(p)~~(r) "Drug" means: (1) Articles recognized in the official United States pharmacopoeia, or other such official compendiums of the United States, or official national formulary, or any supplement of any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clause (1), (2) or (3) of this subsection; but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

~~(q)~~(s) "Durable medical equipment" means technologically sophisticated medical devices that may be used in a residence, including the following: (1) Oxygen and oxygen delivery system; (2) ventilators; (3) respiratory disease management devices; (4) continuous positive airway pressure (CPAP) devices; (5) electronic and computerized wheelchairs and seating systems; (6) apnea monitors; (7) transcutaneous electrical nerve stimulator (TENS) units; (8) low air loss cutaneous pressure management devices; (9) sequential compression devices; (10) feeding pumps; (11) home phototherapy devices; (12) infusion delivery devices; (13) distribution of medical gases to end users for human consumption; (14) hospital beds; (15) nebulizers; or (16) other similar equipment determined by the board in rules and regulations adopted by the board.

(t) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(u) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(v) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(w) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(x) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(+)(y) "Exclusive distributor" means any entity that: (1) Contracts with a manufacturer to provide or coordinate warehousing, wholesale distribution or other services on behalf of a manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must be an authorized distributor of record.

~~(s) "Electronic transmission" means transmission of information in electronic form or the transmission of the exact visual image of a document by way of electronic equipment.~~

(+)(z) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes but is not limited to transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(aa) "Generic name" means the established chemical name or official name of a drug or drug product.

(+)(bb)(1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and which is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
- (B) residents of a juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code;
- (C) students of a public or private university or college, a community college or any other institution of higher learning which is located in Kansas;
- (D) employees of a business or other employer; or
- (E) persons receiving inpatient hospice services.

(2) "Institutional drug room" does not include:
 (A) Any registered pharmacy;
 (B) any office of a practitioner; or
 (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

~~(v)~~(cc) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

~~(dd)~~ "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensees of a co-licensed product.

~~(w)~~(ce) "Medical care facility" shall have the meaning provided in K.S.A. 65-425, and amendments thereto, except that the term shall also include facilities licensed under the provisions of K.S.A. 75-3307b, and amendments thereto, except community mental health centers and facilities for the mentally retarded.

~~(x)~~(ff) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the drug or labeling or relabeling of its container, except that this term shall not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

~~(y)~~(gg) "Manufacturer" means a person licensed or approved by the FDA to engage in the manufacture of drugs and devices.

~~(z)~~(hh) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(ii)~~ "Normal distribution channel" means a chain of custody for a prescription-only drug that goes from a manufacturer of the prescription-only drug, from that manufacturer to that manufacturer's co-licensed partner, from that manufacturer to that manufacturer's third-party logistics provider, or from that manufacturer to that manufacturer's exclusive distributor, directly or by drop shipment, to:

(1) A pharmacy to a patient or to other designated persons authorized by law to

dispense or administer such drug to a patient;

(2) a wholesale distributor to a pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient;

(3) a wholesale distributor to a chain pharmacy warehouse to that chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient; or

(4) a chain pharmacy warehouse to the chain pharmacy warehouse's intracompany pharmacy to a patient or other designated persons authorized by law to dispense or administer such drug to a patient.

~~(aa)~~(jj) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

~~(bb)~~(kk) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

~~(cc)~~(ll) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

(mm) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who has successfully passed equivalency examinations approved by the board.

~~(dd)~~(nn) "Pharmacy," "drug store" or "apothecary" means premises, laboratory, area or other place: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; or (2) which has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import either in English or any sign containing any of these words; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

~~(ee) "Pharmacy student" means an individual, registered with the board of pharmacy, enrolled in a accredited school of pharmacy.~~

(oo) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers or servers, and is controlled by the pharmacy.

~~(ff)~~(pp) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy related duties, but who does not perform duties restricted to a pharmacist.

~~(gg)~~(qq) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

~~(hh)~~(rr) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist.

~~(ii)~~ "Prescription" means, according to the context, either a prescription order or a prescription medication.

(ss) "Prescriber" means a practitioner or a mid-level practitioner.

~~(jj)~~(tt) "Prescription" or "prescription order" means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.

(uu) "Prescription medication" means any drug, including label and container according to context, which is dispensed pursuant to a prescription order.

~~(kk)~~(vv) "Prescription-only drug" means any drug whether intended for use by man or animal, required by federal or state law (including 21 U.S.C. § 353, ~~as amended~~), to be dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

~~(ll)~~ "Prescription order" means: (1) ~~An order to be filled by a pharmacist for prescription medication issued and signed by a practitioner or a mid-level practitioner in the authorized course of professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such practitioner or mid-level practitioner.~~

~~(mm)~~(ww) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

~~(nn)~~(xx) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree which constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior which demonstrates a manifest incapacity or incompetence to practice pharmacy.

~~(oo)~~(yy) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept

on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

~~(zz)~~ "Retail dealer" means a person selling at retail nonprescription drugs which are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

~~(pp)~~(aaa) "Secretary" means the executive secretary of the board.

~~(qq)~~(bbb) "Third party logistics provider" means an entity that: (1) Provides or coordinates warehousing, distribution or other services on behalf of a manufacturer, but does not take title to the prescription drug or have general responsibility to direct the prescription drug's sale or disposition; (2) is registered as a wholesale distributor under the pharmacy act of the state of Kansas; and (3) to be considered part of the normal distribution channel, must also be an authorized distributor of record.

~~(rr)~~(ccc) "Unprofessional conduct" means:

- (1) Fraud in securing a registration or permit;
- (2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;
- (3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;
- (4) intentionally falsifying or altering records or prescriptions;
- (5) unlawful possession of drugs and unlawful diversion of drugs to others;
- (6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;
- (7) conduct likely to deceive, defraud or harm the public;
- (8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;
- (9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or
- (10) performing unnecessary tests, examinations or services which have no legitimate pharmaceutical purpose.

~~(ss)~~ "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

~~(tt)~~(ddd) "Vaccination protocol" means a written protocol, agreed to by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, which establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

~~(ee)~~ "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A

prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

~~(uu)~~(fff) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

~~(vv)~~(ggg) "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs or devices in or into the state, including, but not limited to, manufacturers, repackagers, own-label distributors, private-label distributors, jobbers, brokers, warehouses, including manufacturers' and distributors' warehouses, co-licensees, exclusive distributors, third party logistics providers, chain pharmacy warehouses that conduct wholesale distributions, and wholesale drug warehouses, independent wholesale drug traders and retail pharmacies that conduct wholesale distributions. Wholesale distributor shall not include persons engaged in the sale of durable medical equipment to consumers or patients.

~~(ww)~~(hhh) "Wholesale distribution" means the distribution of prescription drugs or devices by wholesale distributors to persons other than consumers or patients, and includes the transfer of prescription drugs by a pharmacy to another pharmacy if the total number of units of transferred drugs during a twelve-month period does not exceed 5% of the total number of all units dispensed by the pharmacy during the immediately preceding twelve-month period. Wholesale distribution does not include:

(1) The sale, purchase or trade of a prescription drug or device, an offer to sell, purchase or trade a prescription drug or device or the dispensing of a prescription drug or device pursuant to a prescription;

(2) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device for emergency medical reasons;

(3) intracompany transactions, as defined in this section, unless in violation of own use provisions;

(4) the sale, purchase or trade of a prescription drug or device or an offer to sell, purchase or trade a prescription drug or device among hospitals, chain pharmacy warehouses, pharmacies or other health care entities that are under common control;

(5) the sale, purchase or trade of a prescription drug or device or the offer to sell, purchase or trade a prescription drug or device by a charitable organization described in 503(c)(3) of the internal revenue code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a hospital or other similar health care entity that is a member of a group purchasing organization of a prescription drug or device for its own use from the group purchasing organization or from other hospitals or similar health care entities that are members of these organizations;

(7) the transfer of prescription drugs or devices between pharmacies pursuant to a centralized prescription processing agreement;

(8) the sale, purchase or trade of blood and blood components intended for transfusion;

(9) the return of recalled, expired, damaged or otherwise non-salable prescription drugs, when conducted by a hospital, health care entity, pharmacy, chain pharmacy warehouse or charitable institution in accordance with the board's rules and regulations;

(10) the sale, transfer, merger or consolidation of all or part of the business of a

retail pharmacy or pharmacies from or with another retail pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets, in accordance with the board's rules and regulations;

(11) the distribution of drug samples by manufacturers' and authorized distributors' representatives;

(12) the sale of minimal quantities of drugs by retail pharmacies to licensed practitioners for office use; or

(13) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor in accordance with the board's rules and regulations.

Sec. 2. K.S.A. 2011 Supp. 65-1637 is hereby amended to read as follows: 65-1637.

(a) In every store, shop or other place defined in this act as a "pharmacy" there shall be a pharmacist-in-charge and, except as otherwise provided by law, the compounding and dispensing of prescriptions shall be limited to pharmacists only. ~~Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured. Prescription orders may be written, oral, telephonic or by electronic transmission unless prohibited by law. Blank forms for written prescription orders may have two signature lines. If there are two lines, one signature line shall state: "Dispense as written" and the other signature line shall state: "Brand exchange permissible." Prescriptions shall only be filled or refilled in accordance with the following requirements:~~

(a) ~~All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:~~

(1) ~~The prescriber, in the case of a prescription signed by the prescriber and written on a blank form containing two signature lines, signs the signature line following the statement "dispense as written," or~~

(2) ~~the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription, or~~

(3) ~~the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated, or~~

(4) ~~the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.~~

(b) ~~Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the physician shall bear the name of the person so telephoning. Nothing in this paragraph shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.~~

(c) (1) ~~Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.~~

(2) ~~A pharmacist may refill a prescription order issued on or after the effective date~~

~~of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (c)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (c)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (c)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.~~

~~(d) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.~~

~~(e) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.~~

~~(f) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.~~

~~Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled~~

~~(b) Except as otherwise provided by the pharmacy act of this state, when a pharmacist is not in attendance at a pharmacy, the premises shall be enclosed and secured.~~

New Sec. 3. (a) The pharmacist shall exercise professional judgment regarding the accuracy, validity and authenticity of any prescription order consistent with federal and state laws and rules and regulations. A pharmacist shall not dispense a prescription drug if the pharmacist, in the exercise of professional judgment, determines that the prescription is not a valid prescription order.

(b) The prescriber may authorize an agent to transmit to the pharmacy a prescription order orally, by facsimile transmission or by electronic transmission provided that the first and last names of the transmitting agent are included in the order.

(c) (1) A new written or electronically prepared and transmitted prescription order shall be manually or electronically signed by the prescriber. If transmitted by the prescriber's agent, the first and last names of the transmitting agent shall be included in the order.

(2) If the prescription is for a controlled substance and is written or printed from an electronic prescription application, the prescription shall be manually signed by the prescriber prior to delivery of the prescription to the patient or prior to facsimile transmission of the prescription to the pharmacy.

(3) An electronically prepared prescription shall not be electronically transmitted to the pharmacy if the prescription has been printed prior to electronic transmission. An electronically prepared and transmitted prescription which is printed following electronic transmission shall be clearly labeled as a copy, not valid for dispensing.

(4) In consultation with industry, the state board of pharmacy shall conduct a study on the issues of electronic transmission of prior authorizations and step therapy protocols. The report on the results of such study shall be completed and submitted to the legislature no later than January 15, 2013.

(5) The board is hereby authorized to conduct pilot projects related to any new technology implementation when deemed necessary and practicable, except that no state moneys shall be expended for such purpose.

(d) An authorization to refill a prescription order or to renew or continue an existing drug therapy may be transmitted to a pharmacist through oral communication, in writing, by facsimile transmission or by electronic transmission initiated by or directed by the prescriber.

(1) If the transmission is completed by the prescriber's agent, and the first and last names of the transmitting agent are included in the order, the prescriber's signature is not required on the fax or alternate electronic transmission.

(2) If the refill order or renewal order differs in any manner from the original order, such as a change of the drug strength, dosage form or directions for use, the prescriber shall sign the order as provided by paragraph (1).

(e) Regardless of the means of transmission to a pharmacy, only a pharmacist or a pharmacist intern shall be authorized to receive a new prescription order from a prescriber or transmitting agent. A pharmacist, a pharmacist intern or a registered pharmacy technician may receive a refill or renewal order from a prescriber or transmitting agent if such registered pharmacy technician's supervising pharmacist has authorized that function.

(f) A refill is one or more dispensings of a prescription drug or device that results in the patient's receipt of the quantity authorized by the prescriber for a single fill as indicated on the prescription order.

(1) A prescription for a prescription drug or device that is not a controlled substance may authorize no more than 12 refills within 18 months following the date on which the prescription is issued.

(2) A prescription for a schedule III, IV or V controlled substance may authorize no more than five refills within six months following the date on which the prescription is issued.

(g) Prescriptions shall only be filled or refilled in accordance with the following requirements:

(1) All prescriptions shall be filled in strict conformity with any directions of the prescriber, except that a pharmacist who receives a prescription order for a brand name drug product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(A) The prescriber, in the case of a prescription manually or electronically signed

by the prescriber and prepared on a form containing two signature lines, signs the signature line following the statement "dispense as written";

(B) the prescriber, in the case of a written prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription;

(C) the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated; or

(D) the federal food and drug administration has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication.

(h) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(i) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the prescriber, shall bear the name of the person so telephoning. Nothing in this section shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(j) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event shall a refill under this paragraph be more than a seven day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this subsection (j)(2) shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this subsection (j)(2). A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this subsection (j)(2) unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(k) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(l) Any pharmacist who exercises brand exchange and dispenses a less expensive

drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

(m) Nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if in the pharmacist's professional judgment and discretion such pharmacist is of the opinion that it should not be filled or refilled.

Sec. 4. K.S.A. 2011 Supp. 65-1683 is hereby amended to read as follows: 65-1683.

(a) The board shall establish and maintain a prescription monitoring program for the monitoring of scheduled substances and drugs of concern dispensed in this state or dispensed to an address in this state.

(b) Each dispenser shall submit to the board by electronic means information required by the board regarding each prescription dispensed for a substance included under subsection (a). The board shall promulgate rules and regulations specifying the nationally recognized telecommunications format to be used for submission of information that each dispenser shall submit to the board. Such information may include, but not be limited to:

- (1) The dispenser identification number;
- (2) the date the prescription is filled;
- (3) the prescription number;
- (4) whether the prescription is new or is a refill;
- (5) the national drug code for the drug dispensed;
- (6) the quantity dispensed;
- (7) the number of days supply of the drug;
- (8) the patient identification number;
- (9) the patient's name;
- (10) the patient's address;
- (11) the patient's date of birth;
- (12) the prescriber identification number;
- (13) the date the prescription was issued by the prescriber; and
- (14) the source of payment for the prescription.

(c) The board shall promulgate rules and regulations specifying the transmission methods and frequency of the dispenser submissions required under subsection (b).

(d) The board may issue a waiver to a dispenser that is unable to submit prescription information by electronic means. Such waiver may permit the dispenser to submit prescription information by paper form or other means, provided that all information required by rules and regulations is submitted in this alternative format.

(e) The board is hereby authorized to apply for and to accept grants and may accept any donation, gift or bequest made to the board for furthering any phase of the prescription monitoring program.

(f) The board shall remit all moneys received by it under subsection (e) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or a person designated by the president.

Sec. 5. K.S.A. 2011 Supp. 65-1685 is hereby amended to read as follows: 65-1685.

(a) The prescription monitoring program database, all information contained therein and any records maintained by the board, or by any entity contracting with the board, submitted to, maintained or stored as a part of the database, shall be privileged and confidential, shall not be subject to subpoena or discovery in civil proceedings and may only be used for investigatory or evidentiary purposes related to violations of state or federal law and regulatory activities of entities charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern, shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 *et seq.*, and amendments thereto, except as provided in subsections (c) and (d).

(b) The board shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted and maintained is not disclosed to persons except as provided in subsections (c) and (d).

(c) The board is hereby authorized to provide data in the prescription monitoring program to the following persons:

(1) Persons authorized to prescribe or dispense scheduled substances and drugs of concern, for the purpose of providing medical or pharmaceutical care for their patients;

(2) an individual who requests the individual's own prescription monitoring information in accordance with procedures established by the board;

(3) designated representatives from the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in the prescribing or dispensing of scheduled substances and drugs of concern;

(4) local, state and federal law enforcement or prosecutorial officials engaged in the administration, investigation or enforcement of the laws governing scheduled substances and drugs of concern subject to the requirements in K.S.A. 22-2502, and amendments thereto;

(5) designated representatives from the ~~Kansas health policy authority~~ department of health and environment regarding authorized medicaid program recipients;

(6) persons authorized by a grand jury subpoena, inquisition subpoena or court order in a criminal action;

(7) personnel of the prescription monitoring program advisory committee for the purpose of operation of the program; ~~and~~

(8) personnel of the board for purposes of administration and enforcement of this act or the uniform controlled substances act, K.S.A. 65-4101 *et seq.*, and amendments thereto;

(9) persons authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse or diversion of scheduled substances or drugs of concern; and

(10) medical examiners, coroners or other persons authorized under law to investigate or determine causes of death.

(d) The prescription monitoring program advisory committee established pursuant to K.S.A. 65-1689, and amendments thereto, is authorized to review and analyze the data for purposes of identifying patterns and activity of concern.

(1) If a review of information appears to indicate a person may be obtaining prescriptions in a manner that may represent misuse or abuse of controlled substances and drugs of concern, the advisory committee is authorized to notify the prescribers and dispensers who prescribed or dispensed the prescriptions. If the review identifies

patterns or other evidence sufficient to create a reasonable suspicion of criminal activity, the advisory committee is authorized to notify the appropriate law enforcement agency.

(2) If a review of information appears to indicate that a violation of state or federal law relating to prescribing controlled substances and drugs of concern may have occurred, or that a prescriber or dispenser has knowingly prescribed, dispensed or obtained controlled substances and drugs of concern in a manner that is inconsistent with recognized standards of care for the profession, the advisory committee shall determine whether a report to the professional licensing, certification or regulatory agencies charged with administrative oversight of those persons engaged in prescribing or dispensing of controlled substances and drugs of concern or to the appropriate law enforcement agency is warranted.

(A) For purposes of such determination the advisory committee may, in consultation with the appropriate regulatory agencies and professional organizations, establish criteria regarding appropriate standards and utilize volunteer peer review committees of professionals with expertise in the particular practice to create such standards and review individual cases.

(B) The peer review committee or committees appointed herein shall have authority to request and receive information in the prescription monitoring program database from the director of the prescription monitoring program.

(C) If the determination is made that a referral to a regulatory or law enforcement agency is not warranted but educational or professional advising might be appropriate, the advisory committee may refer the prescribers or dispensers to other such resources.

(e) The board is hereby authorized to provide data in the prescription monitoring program to public or private entities for statistical, research or educational purposes after removing information that could be used to identify individual practitioners, dispensers, patients or persons who received prescriptions from dispensers.

Sec. 6. K.S.A. 2011 Supp. 65-1693 is hereby amended to read as follows: 65-1693. (a) A dispenser who knowingly fails to submit prescription monitoring information to the board as required by this act or knowingly submits incorrect prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(b) A person authorized to have prescription monitoring information pursuant to this act who knowingly discloses such information in violation of this act shall be guilty of a severity level 10, nonperson felony.

(c) A person authorized to have prescription monitoring information pursuant to this act who knowingly uses such information in a manner or for a purpose in violation of this act shall be guilty of a severity level 10, nonperson felony.

(d) A person who knowingly and without authorization, obtains or attempts to obtain prescription monitoring information shall be guilty of a severity level 10, nonperson felony.

(e) It shall not be a violation of this act for a practitioner or dispenser to disclose or use information obtained pursuant to this act when such information is disclosed or used solely in the course of such practitioner's or dispenser's care of the patient who is the subject of the information.

Sec. 7. K.S.A. 2011 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act: (a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of

a patient or research subject by: (1) A practitioner or pursuant to the lawful direction of a practitioner; or (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

~~(d)~~ (d) "Board" means the state board of pharmacy.

~~(e)~~ (e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

~~(f)~~ (f) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(g) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which such individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

~~(h)~~ (h) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

~~(i)~~ (i) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

~~(h)~~(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

~~(i)~~(m) "Dispenser" means a practitioner or pharmacist who dispenses.

~~(j)~~(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

~~(k)~~(o) "Distributor" means a person who distributes.

~~(l)~~(p) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) substances, ~~(other than food)~~, intended to affect the structure or any function of the body of man or animals; and

(4) substances intended for use as a component of any article specified in clause (1), (2) or (3) of this subsection. It does not include devices or their components, parts or accessories.

~~(m)~~(q) "Immediate precursor" means a substance which the board has found to be and by rule and regulation designates as being the principal compound commonly used or produced primarily for use and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

~~(n)~~(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

(t) "Electronic signature" means a confidential personalized digital key code, number or other method for secure electronic data transmissions which identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

(u) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer;

or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(2) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance.

~~(aa)~~ "Marijuana" means all parts of all varieties of the plant *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.

~~(bb)~~ "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

(dd) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically

equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

~~(e)~~(ee) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

~~(f)~~(ff) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

~~(g)~~(gg) "Person" means individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

~~(h)~~(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States which is not accredited and who had successfully passed equivalency examinations approved by the board.

(ji) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

~~(k)~~(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(t)~~ "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.

~~(v)~~(ll) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist licensed under the optometry law as a therapeutic licensee or diagnostic and therapeutic licensee, or scientific investigator or other person authorized by law to use a controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

~~(w)~~(mm) "Prescriber" means a practitioner or a mid-level practitioner.

~~(n)~~(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

~~(x)~~(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a request from the board or other authorized agent or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.

~~(p)~~(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.

~~(y)~~ "Isomer" means all enantiomers and diastereomers.

~~(z)~~ "Medical care facility" shall have the meaning ascribed to that term in K.S.A.

65-425, and amendments thereto:

(aa) "Cultivate" means the planting or promotion of growth of five or more plants which contain or can produce controlled substances.

(bb) (1) "Controlled substance analog" means a substance that is intended for human consumption, and:

(A) The chemical structure of which is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, which the individual represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act (21 U.S.C. § 355) to the extent conduct with respect to the substance is permitted by the exemption.

(cc) "Mid-level practitioner" means an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed under the physician assistant licensure act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-28a08, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 65-4111 is hereby amended to read as follows: 65-4111.

(a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any material, compound, mixture or preparation which contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Alprazolam	2882
(2) Barbitol	2145
(3) Bromazepam	2748
(4) Camazepam	2749
(5) Carisoprodol	8192
(5) (6) Chloral betaine	2460
(6) (7) Chloral hydrate	2465
(7) (8) Chlordiazepoxide	2744

(8)(9) Clobazam	2751
(9)(10) Clonazepam	2737
(10)(11) Clorazepate	2768
(11)(12) Clotiazepam	2752
(12)(13) Cloxazolam	2753
(13)(14) Delorazepam	2754
(14)(15) Diazepam	2765
(15)(16) Dichloralphenazone	2467
(16)(17) Estazolam	2756
(17)(18) Ethchlorvynol	2540
(18)(19) Ethinamate	2545
(19)(20) Ethyl loflazepate	2758
(20)(21) Fludiazepam	2759
(21)(22) Flunitrazepam	2763
(22)(23) Flurazepam	2767
(23)(24) Fospropofol	2138
(24)(25) Halazepam	2762
(25)(26) Haloxazolam	2771
(26)(27) Ketazolam	2772
(27)(28) Loprazolam	2773
(28)(29) Lorazepam	2885
(29)(30) Lormetazepam	2774
(30)(31) Mebutamate	2800
(31)(32) Medazepam	2836
(32)(33) Meprobamate	2820
(33)(34) Methohexital	2264
(34)(35) Methylphenobarbital (mephobarbital)	2250
(35)(36) Midazolam	2884
(36)(37) Nimetazepam	2837
(37)(38) Nitrazepam	2834
(38)(39) Nordiazepam	2838
(39)(40) Oxazepam	2835
(40)(41) Oxazolam	2839
(41)(42) Paraldehyde	2585
(42)(43) Petrichloral	2591
(43)(44) Phenobarbital	2285
(44)(45) Pinazepam	2883
(45)(46) Prazepam	2764
(46)(47) Quazepam	2881
(47)(48) Temazepam	2925
(48)(49) Tetrazepam	2886
(49)(50) Triazolam	2887
(50)(51) Zolpidem	2783
(51)(52) Zaleplon	2781
(52)(53) Zopiclone	2784

(c) Any material, compound, mixture, or preparation which contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or

geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Cathine ((+)-norpseudoephedrine) 1230
- (2) Diethylpropion 1610
- (3) Fencamfamin 1760
- (4) Fenproporex 1575
- (5) Mazindol 1605
- (6) Mefenorex 1580
- (7) Pemoline (including organometallic complexes and chelates thereof) 1530
- (8) Phentermine 1640

The provisions of this subsection (d)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

- (9) Pipradrol 1750
- (10) SPA((-)-1-dimethylamino-1, 2-diphenylethane) 1635
- (11) Sibutramine 1675
- (12) Mondafinil 1680

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following, including salts thereof:

- (1) Pentazocine 9709
- (2) Butorphanol (including its optical isomers) 9720

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit 9167
- (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane) 9278

(g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(h) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

Sec. 9. K.S.A. 2011 Supp. 65-4113 is hereby amended to read as follows: 65-4113. (a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose)..... 8161

(2) Pyrovalerone..... 1485

(d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.

(e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.

(f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

(1) Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester 2779

(+)(2) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746

(±)(3) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782

Sec. 10. K.S.A. 65-4123 is hereby amended to read as follows: 65-4123. (a) Except as otherwise provided in K.S.A. 65-4117, and amendments thereto, or in this subsection (a), no schedule I controlled substance may be dispensed. The board by rules and

regulations may designate in accordance with the provisions of this subsection (a) a schedule I controlled substance as a schedule I designated prescription substance. ~~A schedule I controlled substance designated as a schedule I designated prescription substance may be dispensed only upon the written prescription of a practitioner. Prior to designating a schedule I controlled substance as a schedule I designated prescription substance, the board shall find: (1) That the schedule I controlled substance has an accepted medical use in treatment in the United States; (2) that the public health will benefit by the designation of the substance as a schedule I designated prescription substance; and (3) that the substance may be sold lawfully under federal law pursuant to a prescription. No prescription for a schedule I designated prescription substance may be refilled.~~

(b) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in schedule II may be dispensed without the written or electronic prescription of a practitioner or a mid-level practitioner prescriber. In emergency situations, as defined by rules and regulations of the board, schedule II drugs may be dispensed upon oral prescription of a ~~practitioner or a mid-level practitioner prescriber~~ reduced promptly to written or transmitted electronically and filed by the pharmacy. No prescription for a schedule II substance may be refilled.

(c) Except when dispensed by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in schedule III, ~~or IV or V~~ which is a prescription drug shall not be dispensed without ~~a written or oral prescription of a practitioner or a mid-level practitioner~~ either a paper prescription manually signed by a prescriber, a facsimile of a manually signed paper prescription transmitted by the prescriber or the prescriber's agent to the pharmacy, an electronic prescription that has been digitally signed by a prescriber with a digital certificate, or an oral prescription made by an individual prescriber and promptly reduced to writing. The prescription shall not be filled or refilled more than six months after the date thereof or be refilled more than five times.

(d) A controlled substance shall not be distributed or dispensed ~~other than for a medical purpose. Prescriptions shall be retained in conformity with the requirements of K.S.A. 65-4121 and amendments thereto, except by a valid prescription order as defined in K.S.A. 65-1626, and amendments thereto. Electronic prescriptions shall be retained electronically for five years from the date of their creation or receipt. The records must be readily retrievable from all other records and easily rendered into a format a person can read. Paper, oral and facsimile prescriptions shall be maintained as a hard copy for five years at the registered location.~~

New Sec. 11. A controlled substance listed in schedules II through V, excluding schedule V nonnarcotic depressants that have an effect on the central nervous system, shall not be distributed on a gratuitous basis by a manufacturer or distributor to a practitioner, mid-level practitioner, pharmacist or any other person.

Sec. 12. K.S.A. 65-4123 and K.S.A. 2011 Supp. 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the Kansas Register.";

On page 1, in the title, in line 1, by striking all following "ACT"; by striking all in lines 2 through 9 and inserting "concerning prescription of drugs; relating to controlled substances, electronic prescription and the prescription monitoring program; amending

K.S.A. 65-4123 and K.S.A. 2011 Supp 65-1626, 65-1637, 65-1683, 65-1685, 65-1693, 65-4101, 65-4111 and 65-4113 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

BRENDA K. LANDWEHR

OWEN DONOHOE

GERALDINE FLAHARTY

Conferees on part of House

VICKIE SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

On motion of Rep. Landwehr, the conference committee report on **SB 134** was adopted.

On roll call, the vote was: Yeas 101; Nays 16; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Arpke, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Dillmore, Donohoe, Frownfelter, Grosserode, Hildabrand, Huebert, Kinzer, Lane, Mah, O'Brien, O'Hara, Patton, Scapa, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Bethell, Hedke, LeDoux, McCray-Miller, Peterson, Roth.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Burgess, the House concurred in Senate amendments to **HB 2706**, AN ACT concerning appraisal of real property prior to state purchase or disposition; relating to open records; amending K.S.A. 75-3043a and K.S.A. 2011 Supp. 45-221 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 105; Nays 12; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Arpke, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C.

Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, Feuerborn, Flaharty, Henderson, Lane, Mah, Meier, Tietze, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: Aurand, Ballard, Bethell, Hedke, LeDoux, McCray-Miller, Peterson, Roth.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2575** be amended on page 1, in line 11, after "(c)" by inserting "The secretary of administration shall have responsibility for oversight of the e-verify program. The secretary shall present a detailed report on the implementation of such program to the legislature on or before January 15, 2014.

(d)"; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2674, HB 2685 reported correctly engrossed March 29, 2012.

Also, **HB 2416, HB 2660, HB 2743** reported correctly engrossed March 30, 2012.

HB 2516, HB 2517, HB 2563 reported correctly re-engrossed March 30, 2012.

REPORT ON ENROLLED BILLS

HB 2414; Sub HB 2455; Sub HB 2477; HB 2486, HB 2489, HB 2557, HB 2593, HB 2605, HB 2614, HB 2621, HB 2626, HB 2668, HB 2687, HB 2697, HB 2769, HB 2703 reported correctly enrolled, properly signed and presented to the Governor on March 30, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Wednesday, April 25, 2012.

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, April 25, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Rep. LeDoux was excused on verified illness.

Reps. Boman, Grant, Johnson, Kelley and Weber were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
We come together again to finalize decisions
that need to be made.
Some of these decisions are difficult
and we don't know which path to take...
well, we each know of a path we want to take –
but we need Your help to come to consensus.
You have given us the power to choose freely
as well as the intelligence to choose wisely.
Inspire us to make the right decisions
whether we totally agree with each other or not.
The important thing is that we choose Your path.
After we have carefully weighed the reasons on all sides
from a human point of view,
help us to rely on your grace for divine help.
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Mah are spread upon the Journal:

According to the General Aviation Award website, for nearly 50 years, the **General Aviation Awards Program** has recognized a small group of aviation professionals in the fields of flight instruction, aviation maintenance, avionics, and flight safety for their important contributions to the aviation community. The selection process begins with

local offices. Panels of aviation professionals select national winners from the pool of regional winners.

The awards highlight the important roles these individuals play in promoting aviation safety, education, and professionalism. National winners will be recognized during AirVenture-Oshkosh in July.

The 2012 National Aviation Maintenance Technician of the Year is Marvin Hornbostel. Marvin, of Junction City, is a recipient of the FAA's Charles Taylor Master Mechanic and has been working more than 50 years as an airframe and powerplant technician.

His passion for airplanes started early. Growing up during World War II, his dream was to fly B-17s. Of course, the war didn't wait for him but when his dad gave him his first rubber band powered balsa model airplane, his future was decided. He began his career in aviation with the United States Army at Fort Rucker, Alabama, where he received basic aviation maintenance training followed by two years of service in Germany. After discharge, he worked with a maintenance contractor at Fort Riley, Kansas, performing maintenance on Army aircraft. Thirty-two years later, he retired as the shop supervisor.

During his years at Fort Riley, Marvin spent his spare time working on general aviation aircraft while learning all he could about fabric covering. His first complete restoration in 1968 was a 1941 Taylorcraft. Two of his restored aircraft have been award winners at airshows in Oshkosh and Blakesburg, Iowa.

After retiring in 1990, he continued restoring fabric aircraft at his home in rural Junction City. Within a short time, his ability to work with fabric covering became widely known and turned into a business. Marvin now provides summer jobs for students interested in aircraft restoration from Kansas State University's Aviation School. He also works with the Junction City High School Guided Study Program to provide hands-on training to students interested in aviation maintenance. Additionally, he provides work experience and mentorship to Army aviation maintenance technicians to help them transition into civilian careers.

Marvin serves on the Junction City Airport Aviation Advisory Board and is president of EAA Chapter 1364, the "Wing Nuts." With a grant from The Greater Manhattan Community Foundation, he was instrumental in starting a Youth Aviation Education Program in the local chapter. The group participates in EAA's Young Eagles Program, has built a flight simulator, and is presently constructing a Bowers Fly-Baby. Please help me welcome the 2012 Aviation Maintenance Technician of the Year, and my uncle, Marvin Hornbostel.

Rep. Mah presented a framed House certificate to Marvin Hornbostel.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2791, AN ACT concerning elections; relating to primary elections, candidate filings and related procedures; amending K.S.A. 25-203 and 25-3205 and K.S.A. 2011 Supp. 25-205, 25-1122, 25-3203, 25-3904 and 25-3904a and repealing the existing sections, by Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

HB 2414; Sub HB 2455; Sub HB 2477; HB 2486, HB 2489, HB 2605, HB 2614, HB 2626, HB 2668, HB 2687, HB 2703, HB 2769 approved on April 4, 2012.

Also, **HB 2557, HB 2593, HB 2621, HB 2697** approved on April 6, 2012.

Also, **HB 2416, HB 2461, HB 2516, HB 2517; S Sub for HB 2526; HB 2563; Sub HB 2659; HB 2660, HB 2674, HB 2685, HB 2706, HB 2743** approved on April 12, 2012.

MESSAGE FOM THE GOVERNOR

Message to the House of Representatives of the State of Kansas:

The following message from the Governor regarding **HB 2505**, which will become law without the governor's signature, was received and read.

The passage and signing of the Dodd-Frank Act was an unprecedented expansion of federal power over the nation's economy and the states by the Obama Administration. While serving as a United States Senator, I vigorously opposed and voted against the Dodd-Frank Act. Today the consequences of this wayward legislation are being felt here in Kansas. We are being coerced by unelected federal bureaucrats to enact bills such as SB 345 and HB 2505 that set up new regulatory frameworks not desired by Kansas voters. These federal officials are threatening to do harm to our state's economy if we do not acquiesce in passing state laws dictated from Washington. Because we have little choice but to let these bills go into effect, I will allow them to become law without my signature. By not affixing my signature to these bills, however, I want to send a clear message that I have serious concerns about their constitutionality. Because of this, I have requested that Attorney General Derek Schmidt conduct an immediate review of Dodd-Frank in order to begin the process of defending Kansas from this unconstitutional incursion of federal authority over the states. Pursuant to Article 2 Sec. 14 of the Kansas Constitution and KSA 45-305 **SB 345** and **HB 2505** have been delivered to the Secretary of State without my signature.

SAM BROWNBACK
Governor

Dated: April 9, 2012

MESSAGE FROM THE SENATE

Announcing adoption of **HCR 5034**.

The Senate adopts the Conference Committee report on **H Sub for SB 315**.

The Senate nonconcurrs in House amendments to **H Sub for SB 40**, requests a conference and has appointed Senators McGinn, Vratil and Kelly as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 62**, requests a conference and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 142**, requests a conference and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2117** and has appointed Senators Donovan, Apple and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2649** and has appointed Senators Taddiken, Teichman and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **Sub HB 2689** and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

The Senate not adopts the Conference Committee report on **SB 334**, requests a conference and has appointed Senators Umbarger, Marshall and Kultala as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 40**.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 62**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for SB 142**.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 334**.

Speaker O'Neal thereupon appointed Reps. Hayzlett, Prescott and Wetta as second conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer, the House nonconcurrent in Senate amendments to **HB 2562** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Kinzer, Patton and Pauls as conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2706 reported correctly re-engrossed April 2, 2012.

REPORT ON ENROLLED BILLS

HB 2416, HB 2461, HB 2505, HB 2516, HB 2517; S Sub for HB 2526; HB 2563, HB 2659, HB 2660, HB 2674, HB 2685, HB 2706, HB 2743 reported correctly enrolled, properly signed and presented to the Governor on April 6, 2012.

REPORT ON ENROLLED RESOLUTIONS

HCR 5032 reported correctly enrolled, properly signed on April 2, 2012.

HR 6020, HR 6023, HR 6024, HR 6027 reported correctly enrolled and properly signed on April 5, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Thursday, April 26, 2012.

Journal of the House

FIFTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 26, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Rep. LeDoux was excused on verified illness.

Reps. Johnson, Kelley, Peterson, Slattery and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, Mr. Nathan Boldt, Associate Minister, Tyro Christian Church, and guest of Rep. Peck:

Dear Heavenly Father,

We exalt You as our Perfect Sovereign God. We thank you for the way you have blessed our nation in the past, we give you the credit for the freedoms we have today, and we ask for continued blessings in the future. But we understand that is a silly request when/if we “okay” sin and immorality. Therefore, at this time, we want to say sorry for sometimes thinking of more ways to pad our pockets than thinking of the poor and sick. But most of all, we say sorry for every individual in this room, including myself, who has not lived and surrendered 100% of our lives to your Son Jesus Christ. Our prayer is that these men/women make decisions today that would honor you and be pleasing to You. Give the leaders of our state direction and compassion in their voting and their living. We pray for help in developing a state that upholds with reverence Your Word and looks to You for guidance.

Today, we thank you for literally sacrificing Your Son to ravaging wolves here on this planet. For all the blood that was shed that covers our sins, we thank you eternally. Can't wait to be home with You, Father. In Christ Your Son Jesus' name we pray, and all God's people said, “Amen.”

The Pledge of Allegiance was led by Rep. Feuerborn.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Bollier are spread upon the

Journal:

As we stand in the Kansas House of Representatives today, I believe it is appropriate for all of us to reflect upon the money used to support this team that has earned its way to a state championship. Honestly, how does participation in a sports team in high school benefit a Kansas student's education?

For me as a former swimmer at Shawnee Mission East, it is clear that the journey a team takes on its way to a state championship title is built upon certain educational foundations. Hard work...self-sacrifice...time management...commitment: these are values that must be present to succeed as a team. We in the legislature believe in you as you excel in both the classroom and the pool, and we put the state's money behind that belief. You, the young people of Kansas, are privileged to have the opportunity to learn these values in your high school, and our hope is that you will extend those lessons learned into your adult lives. A state championship does not come easily, and each member of the team must reach his maximum potential at just the right time. We are proud of you!

It is an honor and privilege for me to recognize today the Shawnee Mission East Boy's High School 2012 Swim and Dive Team State Champions. Your team captains will now be presented with a certificate to place in your school. I would also like to officially congratulate your coach, Wiley Wright, who has dedicated 27 years to the success of this swim and dive program. I would also like to recognize the one young woman who helped your team along the way, your manager. Congratulations to all of you!

Rep. Bollier presented a framed House certificate to the team.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Redistricting: **HB 2791**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 314** from the Calendar under the heading General Orders and referral to Committee on Redistricting.

MESSAGE FROM THE GOVERNOR

April 23, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-05 for your information.

EXECUTIVE ORDER 12-05 FOR REGIONAL EMERGENCIES
Concerning Conditional and Temporary Relief
from Motor Carrier Rules and Regulations

SAM BROWNBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

COMMUNICATIONS FROM STATE OFFICERS

From Karen Z. Schutter, Executive Director, Interstate Insurance Product Regulation Commission (IIPRC), 2011 Annual Report.

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

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 134**.

The Senate adopts the Conference Committee report on **S Sub for HB 2454**.

The Senate adopts the Conference Committee report on **HB 2471**.

The Senate adopts the Conference Committee report on **HB 2502**.

The Senate adopts the Conference Committee report on **HB 2503**.

The Senate adopts the Conference Committee report on **HB 2568**.

The Senate adopts the Conference Committee report on **HB 2655**.

The Senate adopts the Conference Committee report on **S Sub for HB 2730**.

The Senate accedes to the request of the House for a conference on **HB 2562** and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. S. Gatewood, **HR 6028**, by Representatives S. Gatewood, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6028**—

A RESOLUTION honoring Bob Wootton.

WHEREAS, Bob Wootton, 86, of Topeka, died August 22, 2011. He served in the Kansas house of representatives from 1992 to 1994; and

WHEREAS, Mr. Wootton was born on January 7, 1925, in Lamar, Missouri to Tom and Essie Wootton; and

WHEREAS, Mr. Wootton joined the army during World War II. Two days before

being shipped overseas, he married Wanda Thomas on February 20, 1944. During the war, he served in the U.S. army medical corps in New Guinea, the Philippines and Japan; and

WHEREAS, After his tour of duty, Mr. Wootton returned home to Missouri where he was hired as a teacher at Hard Scrabble High School. After one year, he moved to Milford, Missouri and continued to teach. However, Mr. Wootton did not have a teaching degree, so while at Milford, he decided that if he was going to continue to teach, he should get a degree; and

WHEREAS, Mr. Wootton and his family moved to Pittsburg, Kansas so he could attend Pittsburg State University. Mr. Wootton earned both a bachelor's and master's degree in education. After graduating in 1953, he began teaching English at Shawnee Mission High School; and

WHEREAS, In 1968, Mr. Wootton became the chief lobbyist and political director of the Kansas national education association. During his tenure, he started the KNEA political action committee, which assisted political candidates running for office. He also started the "Check the Record" publication that reported the voting record of legislators; and

WHEREAS, In 1980, Mr. Wootton left KNEA and joined Governor John Carlin's staff as a policy staff member and legislative liaison. He served on the governor's staff for eight years; and

WHEREAS, Mr. Wootton then served on the staff of both speaker of the house Marvin Barkis and senate minority leader Jerry Karr. In 1992, he replaced George Gomez as a member of the Kansas house of representatives for the 57th district. He served in the Kansas legislature until 1994 when he chose not to run for reelection; and

WHEREAS, Mr. Wootton was diagnosed with a brain tumor in 2006. He is survived by his wife of 62 years, Wanda; daughter Karen Harmon; son Mark Wootton and his wife Rochelle Vigurs; daughter Kate Wootton and her husband Arthur Short Bull; and son Stephen Wootton and his wife Mary Lou Emery. Also surviving Mr. Wootton are two grandchildren, Ann Wootton and Claire Emery-Wootton: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor Bob Wootton for his great work and dedication to the state of Kansas and extend our deepest sympathy to his family and friends; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative S. Gatewood.

There being no objection, the following remarks of Rep. S. Gatewood are spread upon the journal:

I am here today to honor someone that has given their entire life to bettering his country, state and community. Bob Wootton started his public service in World War II, and one of the last things he did was serve in this body. When Bob passed this country and state lost a tireless advocate. Today I have with me, Wanda Wootton. We all know how much our families sacrifice so that we can do this job, and Wanda has been doing it since before the Second World War I think we owe her a big thank you.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6029—

By Representatives Finney, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION in memory of Representative Jonathan Wells.

WHEREAS, Representative Jonathan "Joe" Wells, of Wichita, died January 30, 2012. A Kansas legislator, he was elected to the House of Representatives in 1992 and served until 2002; and

WHEREAS, Representative Wells was born April 13, 1928, in Taft, Oklahoma. He received a bachelor of science degree at Langston University in 1950, and a master of science degree from Emporia State University in 1969; and

WHEREAS, Representative Wells was both a teacher and a school administrator for the Wichita public school system for 32 years. His years as an administrator include a principalship at Wichita East High School, Metro-Meridian Alternative High School, Allison Junior High School and Alcott Alternative Middle School. He was the first black senior high principal in the Wichita Public Schools; and

WHEREAS, After he retired from the Wichita Public Schools in July 1992, Representative Wells was elected to the House of Representatives, representing the Kansas 84th district; and

WHEREAS, Representative Wells is remembered for his commitment to his constituency from House district number 84. He served as a member of the committee on education, committee on environment, committee on health and human services, committee on higher education and legislative educational planning committee. He also ensured that his constituents remained informed about the issues being decided in Topeka, by seeking their advice through mass mailings and asking their views on welfare reform, chain gangs, concealed weapons and the state's tax structure. He would send out 800 copies of his newsletter, outlining the issues, and since the state only paid for 150 of those newsletters, he would pay the postage for the remaining 650 or deliver them himself; and

WHEREAS, Representative Wells proudly served his community as a member of both the St. Paul AME Church and Tabernacle Bible Church in Wichita, Kansas, president of the First Black Historical Society Museum, a member of the Kansas and

National Black Caucus, a member of the McAdams Golden Age Association and a member of both Phi Beta Sigma and Phi Delta Kappa fraternities. Representative Wells also won numerous civic awards, including Sigma Gamma Rho's Golden Eagle Award; he was nominated as one of President George Bush's 1,000 Points of Light awards; and he was a recipient of the Dr. Martin Luther King, Jr. Award in Wichita; and

WHEREAS, Representative Wells was preceded in death by his wife of over 50 years, Justina. Representative Wells leaves three daughters and five grandchildren: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we extend our deepest sympathy to the family and friends of Jonathan Wells and thank him for the years of public service he gave to his state and community.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Shultz, the House nonconcurred in Senate amendments to **S Sub for HB 2077** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Suellentrop, Kleeb and Slattery as conferees on the part of the House.

Upon unanimous consent, the House referred back to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2792, AN ACT reconciling amendments to certain statutes and making certain technical changes related thereto; amending K.S.A. 2011 Supp. 16-1602, 21-5428, 21-6811, 22-3437, 22-4705, 44-703, 44-706, 59-2132, 65-516, as amended by section 5 of 2012 House Bill No. 2660, 65-4915, as amended by section 51 of 2012 Substitute for Senate Bill No. 397, 65-6805, as amended by section 54 of 2012 Substitute for Senate Bill No. 397, 68-1051, as amended by section 2 of 2012 House Bill No. 2441, 72-1397, 72-5445, 74-5602, as amended by section 2 of 2012 House Bill No. 2496, 75-2935, as amended by section 115 of 2012 Senate Bill No. 316, 75-37,121, as amended by section 117 of 2012 Senate Bill No. 316, 76-11a13, 77-421, as amended by section 38 of 2012 House Bill No. 2535, 79-201a, as amended by section 1 of 2012 House Bill No. 2769 and 79-3234, as amended by section 127 of 2012 Senate Bill No. 316 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-5428a, 21-6811a, 22-3437b, 22-4705a, 32-1049a, as amended by section 64 of 2012 Senate Bill No. 316, 44-703a, 44-706b, 65-1436a, 65-4915, as amended by section 1 of 2012 House Bill No. 2428, 65-6805, as amended by section 28 of 2012 House Bill No. 2416, 68-1051, as amended by section 2 of 2012 House Bill No. 2509, 72-5445a, 74-4911f, as amended by section 95 of 2012 Senate Bill No. 316, 74-5089, as amended by section 6 of 2012 Senate Bill No. 417, 74-5602, as amended by section 105 of 2012 Senate Bill No. 316, 74-5602, as amended by section 2 of 2012 Senate Bill No. 424, 75-2935, as amended by section 28 of 2012 Senate Bill No. 417, 75-3372, 75-37,121, as amended by section 33 of 2012 House Bill No. 2416, 77-415, as amended by section 1 of 2012 Senate Bill No. 252, 77-421, as amended by section 123 of 2012 Senate Bill No. 316, 77-421, as amended by section 55 of 2012 House Bill No. 2416, 77-421, as amended by section 2 of 2012

Senate Bill No. 252, 79-201a, as amended by section 124 of 2012 Senate Bill No. 316 and 79-3234b, as amended by section 128 of 2012 Senate Bill No. 316, by Committee on Appropriations.

CHANGE OF REFERENCE

Speaker O'Neal announced withdrawal of **SB 393** from Committee on Appropriations and referral to Committee on Education Budget.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 390** be passed.

Committee on **Veterans, Military and Homeland Security** recommends **HR 6025** be adopted.

REPORT ON ENGROSSED BILLS

HB 2505 reported correctly engrossed April 2, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:30 a.m., Thursday, April 27, 2012.

Journal of the House

FIFTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, April 27, 2012, 10:30 a.m.

The House met pursuant to adjournment with Speaker pro tem Vickrey in the chair.

The roll was called with 115 members present.

Rep. Le Doux was excused on verified illness.

Reps. Aurand, Brunk, Crum, S. Gatewood, Kelley, Kiegerl, Slattery, Swanson and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Everett Schultz, of First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

Our Father,

We come before Thee this morning thanking you for the many blessings you have bestowed upon our great nation and upon this great state of Kansas. I want to thank you that this great state still opens each session of this House with prayer. Your Word tells us that where two or three are gathered together in Your name, there You are in the midst of them. So I thank You that You are with us in this House right now.

Father, the people in this house make decisions that affect every Kansan. As they struggle with the issues of the budget, of education, and of redistricting; please give them wisdom and understanding to be able to understand and consider all the alternatives. Help them to be able to see and understand each other's position, and help them to work together to achieve the result that is the best for all involved. Help them to withstand the pressures from special interest groups and influential constituents and provide the best decision for all.

Father, please be with each one as they debate and consider these difficult issues. The next few weeks will be very stressful as they consider the issues before them. Give each one wisdom, understanding and a willingness to work together. May their decisions be the correct ones for the continued well-being of Kansas.

Please remember our doorman, Jim Weaver, in your thoughts and prayers.

I ask these things in Thy name O Lord. Amen.

The Pledge of Allegiance was led by Rep. Finney.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2793, AN ACT concerning the Kansas credit services organization act; relating to the exemptions therefrom; amending K.S.A. 50-1116 and 50-1117 and repealing the existing sections, by the Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Committee of the Whole: **HB 2792**.

CHANGE OF REFERENCE

Speaker pro tem Vickrey announced the withdrawal of **SB 314** from the Committee on Redistricting and rereferral to the Calendar under the heading General Orders.

COMMUNICATIONS FROM STATE OFFICERS

From Shea Robinson, KDHE - Division of Health Care Finance, pursuant to K.S.A. 65-6218, 2012 Health Care Access Improvement Panel (HCAPI Annual Legislative Report.

The complete report is 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. O'Neal, **HR 6030**, by Representatives O'Neal, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuetner, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6030**—

A RESOLUTION congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

WHEREAS, The University of Kansas has had the honor of being home to two of the finest sports programs in the nation. Over the course of the last year, the players and coaches involved with the men's and women's basketball programs have shown what can be accomplished with hard work and dedication both on and off the basketball court and their continued efforts act to strengthen the university's proud athletic traditions that have been in place at KU since the days of coach Forrest "Phog" Allen; and

WHEREAS, The KU women's basketball team managed to pull off a long series of early season wins last fall under the leadership of coach Bonnie Henrickson and, despite losing their leading scorer in the middle of Big 12 Conference play and having to work their way through an incredibly competitive string of Big 12 Conference games, the lady Jayhawks secured a spot in the NCAA Tournament for the first time since 2000. From there the women's team then managed to make it all the way to the Sweet 16, tying the program's best NCAA finish; and

WHEREAS, The KU men's basketball team was declared to be in a state of rebuilding by many in the sports community after losing six of last year's players, but that did not stop them from having one of their best seasons yet. The Jayhawks defeated some of the top teams in the nation during their regular season and secured their eighth consecutive Big 12 Conference Championship title before making it all the way to the NCAA Tournament finals where they emerged as national runner-up. The team's Final Four appearance was the 14th in KU's storied history; and

WHEREAS, KU men's Head Coach Bill Self was named Big 12 Coach of the Year and Naismith College Coach of the Year and the players' classroom accomplishments were honored by being declared the winners of Inside Higher Ed's annual academic competition; and

WHEREAS, Both KU teams truly demonstrated an "ad astra" spirit, refusing to let their seasons and their spirits be diminished from the adversity they faced: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the University of Kansas men's and women's basketball teams on their outstanding 2011-2012 seasons. Their great athletic and academic achievements are sources of pride for the University of Kansas, the city of Lawrence and the state of Kansas. We wish all of the team members, coaches and staff the best of luck in future endeavors, both on and off the court; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative O'Neal.

Rep. O'Neal welcomed the University of Kansas men's and women's basketball teams to the House. Representing the teams were Jordan Juenemann, Travis Releford, Conner Teahan, Jeff Withey, Carolyn Davis, Angel Goodrich, CeCe Harper and Tania Jackson. Also in attendance was Sheahon Zenger, Athletics Director.

Rep. O'Neal and the members of the House congratulated the teams on their exceptional year with a standing ovation.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Meier, **HR 6031**, by Representatives Meier, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins,

Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6031**—

A RESOLUTION recognizing April as the month of the military child.

WHEREAS, Former secretary of defense, Caspar Weinberger, established April as the month of the military child in 1986; and

WHEREAS, There are more than 1.7 million American military children and over 33,000 Kansas military children; and

WHEREAS, These military children face unique challenges and make daily sacrifices for the service of their military parents; and

WHEREAS, Despite the burdens they shoulder, military children show incredible strength, character and resolve in their ability to adapt and thrive in often difficult circumstances; and

WHEREAS, Military children have incredible opportunities to see the world, learn about different cultures first hand and meet people of various races, nationalities and religions; and

WHEREAS, The United States military strives to provide the best educational facilities and instructors for its military children; and

WHEREAS, Military children embody the community ideals of patriotism, loyalty, responsibility and courage: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the month of April as the month of the military child and congratulate and commend the military children of Kansas for the sacrifices they make, the challenges they overcome and the contributions they make to the state of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Meier.

There being no objection, the following remarks of Reps. Carlin, Meier and Goodman are spread upon the Journal:

Remarks by Rep. Carlin:

April is the national month of the Military Child. This special celebration is a legacy of former Defense Secretary Caspar Weinberger and was established to underscore the important role children play in the Armed Forces community.

Throughout the history of organized warfare, military spouses and their children have followed all military forces. Referred to as "little travelers," military children have been

found in literature dating back to the early nineteenth century and though the origin of the term, "military brat," is unknown, some believe that the label originally stood for "British Regiment Attached Traveler." American "military brats" date back to the birth of the United States and here today stands a group of American "military brats," including our own Representatives Meier and Goodman.

The U.S. Department of Defense reports that there are almost two million American children and teenagers who have had at least one parent deployed in a war zone since 2001, and parents of over nine hundred thousand children have been deployed multiple times. Even when not deployed to a combat zone, the training and preparation for war involves significant dangers and time away from family. Military children must live with the reality of risk to one or both parents. A military brat understands and accepts that in the line of duty, the service person within his family may be killed or injured, so today we like to say that BRAT is an acronym that stands for "Brave, Resilient, Adaptable, and Trustworthy."

Our BRATs here today are:

Military Children from Fort Leavenworth: Madison Stebbins, Emma Stebbins and Ellie Stebbins.

Members of the Military Child Teen Council: Kassidy Seaba, Naomi Henry, Jacob Brown, Sophia Olsen, Alison White, Reed Wheeler, Jessica, Herlinger, Makayla Wassenberg, Ty Shafer, Haleigh Peterson, Shealee Crosby, Sawyer Green.

And their sponsors: Command Sergeant Major Scott Haworth and Major General Lee Tafanelli.

Remarks by Rep. Meier:

In addition to the absence of a parent, children of active duty military service members must endure a transient lifestyle, routinely leaving friendships behind and being unable to see extended family on a regular basis. They must change schools and often the move is in the middle of the school year. I am very proud that Kansas recognizes the special challenges military children face in moving and was the first state to enter into The Interstate Compact on Educational Opportunity for Military Children in 2008. At least 35 states are now a part of this effort to address the issues that arise when a child moves from one state school system to another with different curriculum and graduation requirements. I will always remember when I moved in the middle of the 9th grade and ended up studying the same thing the second semester that I did in the first because the two states had the same curriculum but did not cover it in the same order. I thought at the time that it was particularly unfortunate that I had to dissect a second smelly frog!

And today, with the heavy deployment of our Reserve Forces, children in reservist and National Guard families do not even have the company of peers experiencing the same situation, like the military child that lives on a base surrounded by other military families. An extra worry these children can also face is new financial hardship in addition to the absence of a parent. Often there is a shortfall in family income from civilian employment with the extra money from a monthly drill, to full time active duty which often pays much less.

Remarks by Rep. Goodman:

However, the military child actually has an advantage and head start in life. Besides

being brought up in a patriotic and disciplined environment, they are exposed to a wide range of regional cultural differences in the United States and foreign cultures and languages while living overseas. Military children tend to cultivate resilience, exceptional social skills, proficiency in foreign languages, and a high level of multicultural and international awareness. They learn to make new friends quickly and adapt to change. They are friends with children of all cultures and see the world as an adventure rather than something unknown and frightening.

Somewhere in the history of the military brat, someone declared the official flower of the military child as the dandelion. A dandelion is a plant that puts down roots almost anywhere, and is almost impossible to destroy. The dandelion is an unpretentious plant, yet good looking with the habit of being where you least expect it. It is a survivor in a broad range of climates. Kansas recognizes that the care of military children sustains our fighting force, and strengthens the health, security, and safety of our state and nation's families and communities.

Closing by Rep. Meier:

Please help me celebrate the Month of the Military Child and recognize their representatives here.

REPORTS OF STANDING COMMITTEES

The Committee on **Appropriations** recommends **Substitute for SB 39** be amended by substituting a new bill to be designated as "HOUSE Substitute for Substitute for SENATE BILL NO. 39," as follows:

"HOUSE Substitute for Substitute for SENATE BILL NO. 39

By Committee on Appropriations

"AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate; relating to the selling of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397."; and the substitute bill be passed.

(**H Sub for Sub SB 39** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 152, by Representative Calloway, honoring Homer G. Cole for a lifetime of service to country and community;

Request No. 153, by Representative Smith, in memory of Kelsey Ann Smith marking the fifth anniversary of her death and being the driving force of the Kelsey Smith Foundation;

Request No. 154, by Representative Bollier, recognizing the Shawnee Mission East Boys Swim and Dive Team for being named the 2012 6A State Champions;

Request No. 155, by Representative Hermanson, commending Fred Hermes on exceptional management skills with Axiom Healthcare Management;

Request No. 156, by Representative Hermanson, commending Diana Meyer on demonstrating outstanding support, organizational skills, and a desire to serve the needs

of the Kansas State Legislature;

Request No. 157, by Representative Peck, congratulating Daniel Groves on his 90th birthday;

Request No. 158, by Representative Wolf, congratulating Andrew McWard, Hudson Peters, Anamika Ratri, Jocelyn Worner and team coach, Brenda Fishman of Shawnee Mission East High School, winners of the Kansas City Academic WorldQuest;

Request No. 159, by Representative Swanson, congratulating Fort Riley Middle School and Principal, Joe Handlos, for being recognized as the 2012 KAMSA Middle School of the Year;

Request No. 160, by Representative Bowers, congratulating Captain Murl Riedel for receiving the Distinguished Service Medal from the National Guard Association of Kansas;

Request No. 161, by Representative Bowers, congratulating Val Beikmann for being named 2012 Counselor of the Year by the Kansas Counseling Association;

Request No. 162, by Representative Bowers, congratulating Tim and Carrie Parker for receiving the Pursuit of Excellence Award from Taco John's International;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Monday, April 30, 2012.

Journal of the House

FIFTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, April 30, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 120 members present.

Rep. LeDoux was excused on verified illness.

Reps. Collins, Goico, Mesa and Seiwert were excused on excused absence by the Speaker.

Present later: Rep. Goico.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Thank You for the weekend—
and for this new week to start afresh.
Your Word says that Your mercies
are new every morning—
we want to avail of these new mercies today.
As we attempt to work together
on several issues that are difficult,
it appears that many of the issues deal with territory—
like district boundaries
or budget appropriations.
We tend to want to claim our territory – our turf.
Help us to realize today, Lord,
that You own it all...
and have loaned it all to us,
for which we are stewards.
Grant us wisdom to know how to do that.
Help us to seek You out and Your solutions.
And as Your Word puts it in Psalm 16:7:
“The wise counsel God gives when I’m awake
is confirmed by my sleeping heart.
Day and night I’ll stick with God...”
Help us all to sleep well tonight
because we followed the wise counsel You gave us today.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Garber.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Financial Institutions: **HB 2793**.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2077** and has appointed Senators Teichman, Masterson and A. Schmidt as conferees on the part of the Senate.

Also, the President announced the appointment of Senator Faust-Goudeau as a member of the conference committee on **H Sub for SB 129** to replace Senator Kultala.

On motion of Rep. Siegfried, the House recessed until 11:25 a.m..

LATE MORNING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Finney, **HR 6029**, A resolution in memory of Representative Jonathan Wells, was adopted.

There being no objection, the following remarks of Reps. Finney and McCray-Miller are spread upon the Journal:

Remarks by Rep. Finney:

Representative Wells was a personal mentor to me and someone I truly respected and admired. He was a very distinguished man and an impeccable dresser.

I first met him when I was in middle school at Allison Junior High where he was the principal. He ran a tight ship and all of the students stood at attention when he spoke. As a child, I seen him as a father figure and often wished that he would become my stepdad, until I found out he was married.

During my last re-election campaign, Representative Wells helped me out tremendously with my campaign. He went door-to-door for me, handed out flyers, put up signs and provided me with a lot of good advice.

I consider him a great person and I will always remember him.

Remarks by Rep. McCray-Miller:

Jonathan "Joe" Wells, Representative Wells was a "man before his time a renaissance man". For those of you that did not have the opportunity to serve with Representative Wells you missed a treat! That also goes for those that did have an opportunity to serve with Representative Wells. I first knew Representative Wells through my father who also served with Mr. Wells in the House and they grew up in and around the same town in Oklahoma. When becoming a teacher I did my pre-service teaching under Mr. Wells when he was Principal of East High in Wichita, KS. I believe in recognizing a person for their hard work and accomplishments. I'm glad to have the opportunity to do that

today regarding Rep. Wells.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 262**; **HB 2631**.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 262** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 8, by striking "preference" and inserting "substantial consideration"; following line 10, by inserting "Such evaluation of custody, visitation or residency arrangements shall be stated on the record."; in line 26, by striking "preference" and inserting "substantial consideration"; in line 32, by striking "placement" and inserting "finding";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

PETE BRUNGARDT

ROGER P. REITZ

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 262** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Goico, LeDoux, Mesa, Seiwert.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2631** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 12, following line 20, by inserting:

"Sec. 6. K.S.A. 2011 Supp. 65-1424 is hereby repealed.";

Also on page 12, in line 21, by striking "6." and inserting "7."; also in line 21, by striking "65-1424,"; in line 23, by striking "7." and inserting "8.";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

BRENDA K. LANDWEHR

OWEN DONOHOE

GERALDINE FLAHARTY

Conferees on part of House

On motion of Rep. Landwehr, the conference committee report on **HB 2631** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, Goico, LeDoux, Mesa, Seiwert.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 356** be passed.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **SB 436** from the Calendar under the heading General Orders and referral to Committee on Health and Human Services.

REPORT ON ENROLLED RESOLUTIONS

HCR 5034; HR 6031 reported correctly enrolled, properly signed on April 30, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Tuesday, May 1, 2012.

Journal of the House

FIFTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 1, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Rep. LeDoux was excused on verified illness.

Rep. Arpke, Peterson and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Richard Sundermeyer, pastor, Family Life Church of the Nazarene, Topeka:

Almighty God, we come before you today acknowledging the awesome responsibility we have as duly elected representatives of the people of Kansas. This responsibility demands many things of us especially as we address specific pieces of legislation for a final time this year.

While there are may be a variety of outside interests attempting to sway our opinions and decisions, we recognize that without Your insight and wisdom we are unable to see things clearly.

We seek Your presence in this place today in order to move beyond anything that would attempt to divide us as a body and as a state.

We ask for Your insight into these difficult issues facing us so that the only actions passed by this body will provide for the betterment of this state and its citizens.

We request Your divine wisdom to help us to address these important issues with clarity of thought, soundness of mind, pursuit of justice, and righteousness for all.

We confess our need for and dependence on You this day.

We thank You and praise Your name.

We pray for Representative LeDoux as he is having surgery this morning. We pray for healing.

In Jesus name I pray these things, Amen

The Pledge of Allegiance was led by Rep. Seiwert.

MESSAGE FROM THE GOVERNOR

April 27, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 12-429 for your information.

EXECUTIVE DIRECTIVE No. 12-429
Authorizing Expenditure of Federal Funds

SAM BROWNBACK
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

MESSAGE FROM THE GOVERNOR

April 27, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No. 12-06 for your information.

EXECUTIVE ORDER No. 12-06 for Regional Emergencies
Concerning Conditional and Temporary Relief
from Motor Carrier Rules and Regulations

SAM BROWNBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

Announcing passage of **SB 434**.

Announcing passage of **HB 2777**.

Announcing passage of **HB 2572**, as amended.

Also, the President announced the appointment of Senators Schodorf and Hensley as members of the conference committee on **SB 258** to replace Senators McGinn and Kelly.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

SB 434.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the

purpose of considering **S Sub for HB 2454; HB 2655.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2454** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2454, as follows:

On page 2, in line 4, by striking "13" and inserting "11"; in line 13, by striking "four" and inserting "and five"; also in line 13, by striking "; one"; by striking all in lines 14 and 15; in line 16, by striking "appointed by the Kansas humanities council"; in line 18, by striking "two" and inserting "three"; in line 35, by striking "Seven" and inserting "Six";

On page 5, in line 15, after "staff" by inserting "consisting of a director"; in line 17, striking all after the period; in line 18, by striking before the second "The";

On page 6, in line 36, by striking "executive";

On page 10, in line 31, by striking "executive";

On page 12, in line 43, by striking "executive";

And your committee on conference recommends the adoption of this report.

TERRIE HUNTINGTON

JEAN SCHODORF

LAURA KELLY

Conferees on part of Senate

LANA GORDON

MARVIN KLEEB

VALDENIA C. WINN

Conferees on part of House

On motion of Rep. Gordon, the conference committee report on **S Sub for HB 2454** was adopted.

On roll call, the vote was: Yeas 101; Nays 20; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kerschen, Kleeb, Knox, Kuether, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Collins, Donohoe, Garber, S. Gatewood, Grosserode, Hildabrand, Huebert, Kiegerl, Kinzer, Landwehr, McLeland, Montgomery, O'Hara, Peck, Scapa, Schwab, Smith, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: Arpke, LeDoux, Peterson, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2655** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Amended by Senate Committee, as follows:

On page 1, by striking all in lines 6 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 and 2 and by inserting:

"Section 1. K.S.A. 2011 Supp. 58a-411 is hereby amended to read as follows: 58a-411. (a) A noncharitable irrevocable trust may be modified or terminated upon consent of the settlor and all qualified beneficiaries, even if the modification or termination is inconsistent with a material purpose of the trust. A settlor's power to consent to a trust's modification or termination may be exercised by an attorney in fact under a power of attorney only to the extent expressly authorized by the power of attorney or the terms of the trust; by the settlor's conservator with the approval of the court supervising the conservatorship if an agent is not so authorized; or by the settlor's guardian with the approval of the court supervising the guardianship if an agent is not so authorized and a conservator has not been appointed. This subsection does not apply to irrevocable trusts created before, or to revocable trusts that became irrevocable before, January 1, 2003.

(b) A noncharitable irrevocable trust may be terminated upon consent of all of the qualified beneficiaries if the court concludes that continuance of the trust is not necessary to achieve any material purpose of the trust. A noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust.

(c) A spendthrift provision in the terms of the trust is not presumed to constitute a material purpose of the trust.

(d) Upon termination of a trust under subsection (a) or (b), the trustee shall distribute the trust property as agreed by the qualified beneficiaries.

(e) If not all of the qualified beneficiaries consent to a proposed modification or termination of the trust under subsection (a) or (b), the modification or termination may be approved by the court if the court is satisfied that:

(1) If all of the qualified beneficiaries had consented, the trust could have been modified or terminated under this section; and

(2) the interests of a qualified beneficiary who does not consent will be adequately protected.

Sec. 2. K.S.A. 58a-1013 is hereby amended to read as follows: 58a-1013. (a) Instead of furnishing a copy of the trust instrument to a person other than a qualified beneficiary, the trustee may furnish to the person an acknowledged certification of trust containing the following information:

(1) That the trust exists and the date the trust instrument was executed;

(2) the identity of the settlor;

(3) the identity and address of the currently acting trustee;

- (4) the powers of the trustee;
- (5) the revocability or irrevocability of the trust and the identity of any person holding a power to revoke the trust;
- (6) the authority of cotrustees to sign or otherwise authenticate and whether all or less than all are required in order to exercise powers of the trustee; and
- ~~(7) the trust's taxpayer identification number; and~~
- ~~(8)(7)~~ the manner of taking title to trust property.
- (b) A certification of trust may be signed or otherwise authenticated by any trustee.
- (c) A certification of trust must state that the trust has not been revoked, modified, or amended in any manner that would cause the representations contained in the certification of trust to be incorrect.
- (d) A certification of trust need not contain the dispositive terms of a trust.
- (e) A recipient of a certification of trust may require the trustee to furnish copies of those excerpts from the original trust instrument and later amendments which designate the trustee and confer upon the trustee the power to act in the pending transaction.
- (f) A person who acts in reliance upon a certification of trust without knowledge that the representations contained therein are incorrect is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the certification. Knowledge of the terms of the trust may not be inferred solely from the fact that a copy of all or part of the trust instrument is held by the person relying upon the certification.
- (g) A person who in good faith enters into a transaction in reliance upon a certification of trust may enforce the transaction against the trust property as if the representations contained in the certification were correct.
- (h) A person making a demand for the trust instrument in addition to a certification of trust or excerpts is liable for damages if the court determines that the person did not act in good faith in demanding the trust instrument.
- (i) This section does not limit the right of a person to obtain a copy of the trust instrument in a judicial proceeding concerning the trust.";

Also on page 3, in line 3, before "K.S.A." by inserting "K.S.A. 58a-1013 and"; also in line 3, by striking "21-5905 is" and inserting "58a-411 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "judicial process" and inserting "the uniform trust code; relating to modification or termination of noncharitable irrevocable trusts; certification of trusts"; also in line 2, after "amending" by inserting "K.S.A. 58a-1013 and"; also in line 2, by striking "21-5905" and inserting "58a-411"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2655** was adopted.

On roll call, the vote was: Yeas 117; Nays 3; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burgess, Knox, Smith.

Present but not voting: None.

Absent or not voting: Arpke, Hill, LeDoux, Peterson, Weber.

REPORTS OF STANDING COMMITTEES

The Committee on **Financial Institutions** recommends **HB 2793** be amended on page 1, in line 9, by striking "person" and inserting "individual"; in line 10, by striking "person's" and inserting "individual's"; in line 11, by striking "person's" and inserting "individual's"; and the bill be passed as amended.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2768** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2768," as follows:

"Substitute for HOUSE BILL NO. 2768

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193,

72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2768** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2631 reported correctly re-engrossed April 30, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6028, HR 6030 reported correctly enrolled and properly signed on May 1, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, May 2, 2012.

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 2, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 122 members present.

Rep. LeDoux was excused on verified illness.

Reps. Arpke and Weber were excused on excused absence by the Speaker.

Reps. Johnson and Sloan were excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Richard Sundermeyer, pastor, Family Life Church of the Nazarene, Topeka:

Almighty God, as the hours wind down on this year's session of the Kansas Legislature, we are reminded afresh and anew of our deep need for Your leading in everything we consider as a legislative body. Yes, we can make decisions on our own, but that is all they will be – humanity's limited wisdom and insights.

May this day be one that finds all of us willing to be led by Your presence and inspiration affording us the ability to unite for the greater benefit of this great state.

May this day be one that enables us to move beyond past differences into a united body only doing what is best for everyone, great and small alike.

May this day be one that challenges the best in each other not willing to settle for good enough just for the sake of expediency.

May this day be one that seeks justice for the oppressed, provision for the disadvantages, and hope for those without hope.

May this day be one that will only advocate for and accept what is right even when it costs us greatly in terms of influence, support or votes.

May this day be one that will cause You to look down on this body with a great big smile of approval because we did the right thing.

We thank You for giving us this day.

In Jesus name I pray these things, Amen

The Pledge of Allegiance was led by Rep. Schroeder.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Appropriations: **SB 434**.

COMMUNICATIONS FROM STATE OFFICERS

From Karin Brownlee, Secretary, Kansas Department of Labor, 2011 Annual Report.

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

MESSAGE FROM THE SENATE

Announcing passage of **HB 2371**, as amended by **S Sub for HB 2371**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2572**; **H Sub SB 114**; **SB 367**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Rhoades, the House nonconcurred in Senate amendments to **HB 2572** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 114** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, in the title, in line 1, after "concerning" by inserting "cities and"; also in line 1, by striking "certain"; also in line 1, by striking "disposal"; in line 2, by striking "areas";

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT

JOE SEIWERT

ANN E. MAH

Conferees on part of House

ROGER P. REITZ

DICK KELSEY

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Huebert, the conference committee report on **H Sub for SB 114** was adopted.

On roll call, the vote was: Yeas 95; Nays 27; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Crum, Davis, DeGraaf, Denning, Feuerborn, Garber, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bollier, Carlin, Colloton, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Henderson, Kiegerl, Kuether, Lane, Mah, Meier, Moxley, Peterson, Ruiz, Slattery, Spalding, Swanson, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: Arpke, LeDoux, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 367** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 34, after "excused." by inserting "Jury service shall be postponed.";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 367** was adopted.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Grange, Grant,

Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, D. Gatewood, S. Gatewood, Gordon, Kuether, Lane, Mah, Victors.

Present but not voting: None.

Absent or not voting: Arpke, LeDoux, Weber.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2690** be passed.

Committee on **Federal and State Affairs** recommends **SB 379** be amended on page 2, in line 30, by striking "20%" and inserting "30%"; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6032**—

By Committee on Federal and State Affairs

A RESOLUTION opposing and exposing the radical nature of United Nations Agenda 21 and its destructiveness to the principles of the founding documents of the United States of America.

WHEREAS, The United Nations Agenda 21 is a comprehensive plan of environmental extremism, social engineering and global political control that was initiated at the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992; and

WHEREAS, The United Nations Agenda 21 is being covertly pushed into local communities throughout the United States of America through the International Council of Local Environmental Initiatives through local "sustainable development" policies such as Smart Growth, Wildlands Project, Resilient Cities, Regional Visioning Projects and other "Green" or "Alternative" projects; and

WHEREAS, This United Nations Agenda 21 plan of radical so-called "sustainable development" views the American way of life of private property ownership, single family homes, private car ownership, individual travel choices and privately owned farms as destructive to the environment; and

WHEREAS, The United States federal government nor any state or local government is legally bound by the United Nations Agenda 21, the influence of the International Council for Local Environmental Initiatives has now infiltrated approximately 600 local and regional entities in the United States, with as many as 54 of such entities withdrawing enrollment during 2011, due to the negative consequences experienced through implementation of Agenda 21; and

WHEREAS, According to the United Nations Agenda 21 policy, social justice is

described as the right and opportunity of all people to benefit equally from the resources afforded us by society and the environment, which would be accomplished by redistribution of wealth: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the destructive and insidious nature of United Nations Agenda 21 and hereby expose to public policy makers the dangerous intent of the plan; and

Be it further resolved: That the federal government and all state and local governments across the country should seek to be well informed about the underlying harmful implications of the implementation of United Nations Agenda 21 destructive strategies for "sustainable development", and that we hereby endorse rejection of its radical policies; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to each member of the Kansas Congressional Delegation.

On motion of Rep. Siegfried, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 14; H Sub for Sub SB 148; S Sub for HB 2371.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 14** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 7 through 34;

By striking all on pages 2 through 5 and inserting:

"Section 1. K.S.A. 2011 Supp. 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia,

hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from

which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection ~~(g)~~.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) ~~Not later than July 1, 2008~~, the secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund which shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. Each month, the director of accounts and reports shall determine the amount credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the portion of such amount that is necessary to fund the newborn screening program for the preceding month as certified by the secretary of health and environment or the

secretary's designee, to the newborn screening fund, except that such amount shall not exceed the amount to be credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto.

Sec. 2. K.S.A. 2011 Supp. 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 4 and inserting:

"AN ACT concerning the department of health and environment; relating to education and screening for congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases and disorders; creating the Kansas newborn screening fund; amending K.S.A. 2011 65-180, as amended by section 39 of 2012 Substitute for Senate Bill No. 397, and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

BRENDA K. LANDWEHR

OWEN DONOHOE

GERALDINE FLAHARTY

Conferees on part of House

RUTH TEICHMAN

TY MASTERSON

ALLEN C. SCHMIDT

Conferees on part of Senate

On motion of Rep. Landwehr, the conference committee report on **SB 14** was adopted.

On roll call, the vote was: Yeas 115; Nays 2; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelly, Kerschen, Kinzer, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Kelley, Knox.

Present but not voting: None.

Absent or not voting: Arpke, Brown, Johnson, Kiegerl, LeDoux, Peterson, Sloan, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 148** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Substitute for Senate Bill No. 148, as follows:

On page 2, in line 29, after the first "of" by inserting "sand and gravel"; in line 30, after "82a-708b" by inserting ", and amendments thereto,"; in line 35, after "that" by inserting ":

(A)";

Also on page 2, in line 36, by striking "and further demonstrates" and inserting "; and (B)";

Also on page 2, in line 37, after "obtained" by inserting "at or near the current fair market value"; in line 39, after "(4)" by inserting "If a permit is denied, the chief engineer shall set forth all reasons for such denial.";

On page 3, in line 2, by striking the second "K.S.A.";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Kerschen, the conference committee report on **H Sub for Sub SB 148** was adopted.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: S. Gatewood.

Present but not voting: None.

Absent or not voting: Arpke, Brown, Johnson, LeDoux, Peterson, Sloan, Weber.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Aurand to nonconcur in Senate amendments to **S Sub for HB 2371** and that a conference committee be appointed, Rep. Kinzer offered a substitute motion to concur in Senate amendments to **S Sub for HB 2371**, AN ACT concerning reapportionment; relating to state legislative districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857, 4-3,858, 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525.

The substitute motion did not prevail and the bill did not pass.

On roll call, the vote was: Yeas 43; Nays 72; Present but not voting: 0; Absent or not voting: 10.

Yeas: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Davis, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Pauls, Phelps, Pottorff, Roth, Ruiz, Schroeder, Slattery, Spalding, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Aurand, Billinger, Boman, Bowers, Bruchman, Brunk, Burgess, Calloway, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Arpke, Brown, Carlson, Dillmore, Johnson, Kleeb, LeDoux, Peterson, Sloan, Weber.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2794, AN ACT concerning reapportionment; relating to state representative districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857 and 4-3,858, by Committee on Appropriations.

HB 2795, AN ACT concerning reapportionment, relating to senatorial districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492 and 4-4,493, by Committee on Appropriations.

HB 2796, AN ACT concerning reapportionment; relating to state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525, by Committee on Appropriations.

REPORT ON ENGROSSED BILLS

S Sub for HB 2454; HB 2777 reported correctly engrossed May 1, 2012.

Also, **HB 2655** reported correctly re-engrossed May 2, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6029 reported correctly enrolled and properly signed on May 2, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, May 3, 2012.

Journal of the House

SIXTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 3, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Rep. LeDoux was excused on verified illness.

Rep. Sloan was excused on legislative business.

Reps. Billinger and Weber were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. David Epps, National Day of Prayer Coordinator, of Topeka:

Gracious Lord and sovereign God over Kansas, I ask Your divine favor on the proceedings of this body today. Bestow blessings of health and prosperity for those serving here so they can conduct the business of the state without hindrance. Fill them with wisdom and knowledge to act as Your agents of blessing.

On this, the 61st annual National Day of Prayer, I call upon You to extend Your mercy to us. Give us in the state of Kansas a recognition of Your holiness and our utter failure to act, speak, and think according to Your standards. Humble us, forgive us, and empower us to not only pass righteous legislation, but to live righteous lives.

When we encounter drought and desperation, economic shakings and the shakings of the earth, acts of violence and the violent acts of nature, ridicule from the ignorant and rebuke from the self-righteous, remind us of Your promise that, if we will humble ourselves and pray, seek Your face and turn from our wicked ways, then You will hear us from heaven, forgive us, and heal our land.

I pray in the name of Your Son, Jesus, amen.

The Pledge of Allegiance was led by Rep. Roth.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Smith are spread upon the Journal:

Today is a day of celebration while remembering a somber anniversary. I would also like to honor the achievements of a special group of people.

May 3, 1989, my daughter, Kelsey Ann Smith, entered the world. She would have been 23 today. To celebrate her birthday I have had placed on your desk a package of Skittles. Skittles were Kelsey's favorite candy and she had a habit of eating them in pairs. Two of the same color was the only acceptable way to eat them.

On June 2, 2007, Kelsey was kidnapped from an Overland Park store parking lot, sexually assaulted, and murdered. Her whereabouts were unknown for four days. After a massive search by law enforcement, the community and intensive media coverage, Kelsey's body was located. Cell phone technology was crucial in recovering her.

This June 2 will mark the 5th anniversary of Kelsey's death.

On July 23, 2009, Kelsey's killer pled guilty to her murder and is now serving a life sentence without the possibility of parole in the custody of the Kansas Department of Corrections.

On April 17, 2009, Kansas passed the "Kelsey Smith Act," a law making quick access to cell phone "locate" information by law enforcement possible.

This body is the first group of special people I would like to honor. Because of your work the Kelsey Smith Act has saved lives in Kansas. Six other states have passed a similar act using your legislation as a template. If you ever wonder if being here really makes a difference, it does. Your work has saved lives and will continue to do so. You have my sincere thanks.

The second group of people I would like to honor are up here with me. These are the board members and volunteers that make the Kelsey Smith Foundation a success. The Kelsey Smith Foundation has been recognized by the Director of the Federal Bureau of Investigation, Parents of Murdered Children and other organizations for its work in educating youth and young adults. Over 18,000 people have participated in the Foundation's Safety Awareness Seminar across the United States. Without these people the Foundation would be lost. An organization is only as good as those who work to make it successful. They are Marla Brems, Karen Green, Dean Lytton, and Karen Woods.

The last person I would like to honor is my wife, Kelsey's mother, Missey. Her hard work and passion for helping others make the Foundation as successful as it is. She is featured in this month's "Her Life" magazine. I would like to present this framed certificate to her, In Memory of Kelsey.

Please recognize the achievements of these folks, as well as your own accomplishment of the Kelsey Smith Act.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Federal and State Affairs: **HR 6032**.

Redistricting: **HB 2794, HB 2795, HB 2796**.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **H Sub for SB 17** from the Committee on Appropriations and rereferral to the Calendar under the heading General Orders.

MESSAGE FROM THE SENATE

Announcing passage of **Sub SB 449**.

The Senate concurs in House amendments to **H Sub for SB 62**, and requests return of the bill.

The Senate accedes to the request of the House for a conference on **HB 2572** and has appointed Senators Brungardt, Reitz and Faust-Goudeau as conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was introduced and read by title:

Sub SB 449.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 129; HB 2471; S Sub for HB 2730**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 129** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 31 and inserting:

"Section 1. K.S.A. 2011 Supp. 2-624 is hereby amended to read as follows: 2-624.

(a) The governing body of each extension district shall be composed of four representatives from each county included in the extension district. At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four members representing each county in an extension district shall be elected in a county-wide election by the qualified electors of the county.

(b) At the conclusion of the terms of the members first appointed to membership on the governing body of the district, each member of the governing body shall hold office for a term of four years and until such member's successor is elected and qualified. Each such term of office shall commence on the date of receipt of certification of election by the member elected and shall continue until the member's successor is elected and qualified.

(c) (1) Except as otherwise provided in this act, an election to elect successors to members of the governing body whose terms are expiring shall be held on the first Tuesday in April in each odd-numbered year.

(2) Elections to choose members of the governing body of an extension district shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by this act. Not later than 12 noon of the Tuesday, 10 weeks preceding the first Tuesday in April in ~~odd-numbered~~ election years, each person desiring to be a candidate for membership on the

governing body, in any election, shall file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county represented by the member of the governing body whose successor is to be elected, as a candidate in such election. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order.

(3) The county election officer of each county within the extension district shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county election officer shall cause to be ascertained the names of all persons within the district who are qualified electors, and shall furnish lists thereof to the judges of the election. Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the governing body at least five days before the holding thereof.

(4) All election expenses shall be paid by the extension district. Election officials shall receive the same compensation as provided under the general election laws.

(d) Any vacancy in the membership of the governing body of an extension district shall be filled by appointment by the governing body for the unexpired term of office. Each member so appointed shall be a resident of the county which was represented by the member creating the vacancy.

(e) The governing body of each extension district shall organize annually in July by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.

Sec. 2. K.S.A. 2011 Supp. 24-414 is hereby amended to read as follows: 24-414.

(a) Elections to choose directors shall be conducted, the returns made and the results ascertained in the manner provided by law for general county elections except as otherwise provided by law, and all persons desiring to be voted upon as director, in any election, shall, not later than ~~12:00~~ 12 noon of the ~~Wednesday next following the primary election as such term is defined in subsection (b) of K.S.A. 25-2006, and amendments thereto~~ Tuesday, 10 weeks preceding the first Tuesday in April in election years, file a declaration of candidacy, accompanied by a filing fee of \$5, with the county election officer of the county wherein the district is located, as a candidate in such election, and the election officer in making up the ballots and in placing the names thereon shall place the names on the ballots in alphabetical order, but the returns of all special or bond elections shall be made to the secretary and canvassed by the board of directors. The county election officer shall remit such filing fees to the county treasurer for deposit in the county general fund. The county election officer of the county wherein the drainage district is situated shall appoint election boards as provided by law for other elections and shall designate places for holding the election. The county clerk shall cause to be ascertained the names of all persons within the district who are also qualified electors, and shall furnish lists thereof to the judges of the election.

(b) Notice of the time and place of holding each election, signed by the county election officer, shall be given in a newspaper published in the county and posted in a conspicuous place in the office of the board of directors at least five days before the holding thereof. At all elections and meetings held under the provisions of this act, only persons who are qualified electors shall be entitled to vote. In counties having a

population of more than 150,000, at all elections and meetings held under the provisions of this act, only persons who are taxpayers and residents of the district who are qualified electors shall be entitled to vote. All election expenses shall be paid for out of the general fund of the drainage district. Election officials shall receive the same compensation as provided under the general election laws.

(c) As used in this section, "taxpayer" means any person who owns any real property or tangible property within the district who pays taxes assessed on such property.

Sec. 3. K.S.A. 2011 Supp. 25-2908 is hereby amended to read as follows: 25-2908. (a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

(1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

(4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

(d) If a voter is unable or refuses to provide current and valid identification, the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters

and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.

(f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

(g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with the subsection (h) may not be altered.

(h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

(A) A driver's license issued by Kansas or by another state or district of the United States;

(B) a state identification card issued by Kansas or by another state or district of the United States;

(C) a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

(D) a United States passport;

(E) an employee badge or identification document issued by a municipal, county, state, or federal government office or agency;

(F) a military identification document issued by the United States;

(G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas; ~~or~~

(H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency; or

(I) an identification card issued by an Indian tribe.

(2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.

(i) The following persons are exempt from the photographic identification document requirements of this section:

(1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification

and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;

(2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;

(3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;

(4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and

(5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

(j) "Indian tribe" or "tribe" means any Indian tribe, band, nation or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village, as defined in 43 U.S.C. § 1602(c).

Sec. 4. K.S.A. 25-4153 is hereby amended to read as follows: 25-4153. (a) The aggregate amount contributed to a candidate and such candidate's candidate committee and to all party committees and political committees and dedicated to such candidate's campaign, by any political committee or any person except a party committee, the candidate or the candidate's spouse, shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor or for other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election;

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney, ~~member of the state board of education~~ or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.

(3) For the office of state senator or member of the state board of education, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election.

(b) For the purposes of this section, the face value of a loan at the end of the period of time allocable to the primary or general election is the amount subject to the limitations of this section. A loan in excess of the limits herein provided may be made during the allocable period if such loan is reduced to the permissible level, when combined with all other contributions from the person making such loan, at the end of such allocable period.

(c) For the purposes of this section, all contributions made by unemancipated children under 18 years of age shall be considered to be contributions made by the parent or parents of such children. The total amount of such contribution shall be attributed to a single custodial parent and 50% of such contribution to each of two parents.

(d) The aggregate amount contributed to a state party committee by a person other than a national party committee or a political committee shall not exceed \$15,000 in

each calendar year; and the aggregate amount contributed to any other party committee by a person other than a national party committee or a political committee shall not exceed \$5,000 in each calendar year.

The aggregate amount contributed by a national party committee to a state party committee shall not exceed \$25,000 in any calendar year, and the aggregate amount contributed to any other party committee by a national party committee shall not exceed \$10,000 in any calendar year.

The aggregate amount contributed to a party committee by a political committee shall not exceed \$5,000 in any calendar year.

(e) Any political funds which have been collected and were not subject to the reporting requirements of this act shall be deemed a person subject to these contribution limitations.

(f) Any political funds which have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.

(g) The amount contributed by each individual party committee of the same political party other than a national party committee to any candidate for office, for any primary election at which two or more candidates are seeking the nomination of such party shall not exceed the following:

(1) For the pair of offices of governor and lieutenant governor and for each of the other state officers elected from the state as a whole, \$2,000 for each primary election (or in lieu thereof a caucus or convention of a political party);

(2) For the office of member of the house of representatives, district judge, district magistrate judge, district attorney, ~~member of the state board of education~~ or a candidate for local office, \$500 for each primary election (or in lieu thereof a caucus or convention of a political party).

(3) For the office of state senator or member of the state board of education, \$1,000 for each primary election (or in lieu thereof a caucus or convention of a political party).

(h) When a candidate for a specific cycle does not run for office, the contribution limitations of this section shall apply as though the individual had sought office.

(i) No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election.

Sec. 5. K.S.A. 2011 Supp. 65-2418 is hereby amended to read as follows: 65-2418. (a) (1) The secretary shall fix and charge by rules and regulations the fees to be paid for certified copies or abstracts of certificates or for search of the files for birth, death, fetal death, marriage or divorce records when no certified copy or abstract is made. Except as otherwise provided in this section, the secretary shall remit all moneys received by or for the secretary from fees, charges or penalties, under the uniform vital statistics act, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(2) The secretary shall not charge any fee for a certified copy of a certificate or abstract or for a search of the files or records if the certificate, abstract or search is requested by a person who exhibits correspondence from the United States department of veterans affairs or the Kansas commission on veterans affairs which indicates that the person is applying for benefits from the United States department of veterans affairs and that such person needs the requested information to obtain such benefits, except that, for a second or subsequent certified copy of a certificate, abstract or search of the files requested by the person, the usual fee shall be charged. The secretary may provide by rules and regulations for exemptions from such fees.

(3) The secretary shall not charge or accept any fee for a certified copy of a birth certificate if the certificate is requested by any person who is 17 years of age or older for purposes of voting if the applicant lacks the identification required by K.S.A. 25-2908(h), and amendments thereto, or meeting to meet the voter registration requirements of K.S.A. 25-2309, and amendments thereto ~~such person~~. For voter registration purposes, an applicant for registration shall swear under oath: (1) That such person plans to register to vote in Kansas; and (2) that such person does not possess any of the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(1), and amendments thereto. The affidavit shall specifically list the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(1), and amendments thereto. The secretary shall adopt rules and regulations in order to implement the provisions of this subsection.

(4) Upon receipt of any such remittance of a fee for a certified copy of a birth certificate or abstract, \$3 of each such fee for the first copy of a birth certificate or abstract and \$1 of each such fee for each additional copy of the same birth certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the permanent families account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto. The balance of the money received for a fee for a certified copy of a birth certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created under this act.

(5) Upon receipt of any such remittance of a fee for a certified copy of a death certificate or abstract, \$4 of each such fee for the first certified copy of a death certificate or abstract and \$2 of each such fee for each additional copy of the same death certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the district coroners fund created by K.S.A. 22a-245, and amendments thereto. The balance of the money received for a fee for a certified copy of a death certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(b) Subject to K.S.A. 65-2415, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.

Sec. 6. K.S.A. 25-4153 and K.S.A. 2011 Supp. 2-624, 24-414, 25-2908 and 65-2418 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 5 and inserting:

"AN ACT concerning elections and campaign finance; amending K.S.A. 25-4153 and K.S.A. 2011 Supp. 2-624, 24-414, 25-2908 and 65-2418 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

SCOTT SCHWAB

MARIO GOICO

ANN E. MAH

Conferees on part of House

TERRIE HUNTINGTON

VICKI SCHMIDT

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Schwab, the conference committee report on **H Sub for SB 129** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Sloan, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2471** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 6, by striking all following "(3)"; by striking all in line 7; in line 8, by striking all before the semicolon; in line 15, by striking all following "(3)"; by striking all in line 16; in line 17, by striking all before the semicolon; in line 25, by striking all following "(3)"; by striking all in line 26; in line 27, by striking all before the semicolon;

On page 3, following line 21, by inserting:

"Sec. 2. On and after July 1, 2012, K.S.A. 2011 Supp. 39-923 is hereby amended to read as follows: 39-923. (a) As used in this act:

(1) "Adult care home" means any nursing facility, nursing facility for mental health, intermediate care facility for ~~the mentally retarded people with intellectual disability~~, assisted living facility, residential health care facility, home plus, boarding care home and adult day care facility; all of which are classifications of adult care homes and are required to be licensed by the secretary of aging.

(2) "Nursing facility" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care to compensate for activities of daily living limitations.

(3) "Nursing facility for mental health" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care and special mental health services to compensate for activities of daily living limitations.

(4) "Intermediate care facility for ~~the mentally retarded people with intellectual disability~~" means any place or facility operating 24 hours a day, seven days a week, caring for ~~six~~ four or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments caused by ~~mental retardation~~ intellectual disability or related conditions, need services to compensate for activities of daily living limitations.

(5) "Assisted living facility" means any place or facility caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes apartments for residents and provides or coordinates a range of services including personal care or supervised nursing care available 24 hours a day, seven days a week, for the support of resident independence. The provision of skilled nursing procedures to a resident in an assisted living facility is not prohibited by this act. Generally, the skilled services provided in an assisted living facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(6) "Residential health care facility" means any place or facility, or a contiguous portion of a place or facility, caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of resident independence. The provision of skilled nursing procedures to a resident in a residential health care facility is not prohibited by this act. Generally, the skilled services provided in a residential health care facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(7) "Home plus" means any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary of the department of social and rehabilitation services, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the department on aging. An adult care home may convert a portion of one wing of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home, and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

(8) "Boarding care home" means any place or facility operating 24 hours a day, seven days a week, caring for not more than 10 individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of activities of daily living but who are ambulatory and essentially capable of managing their own care and affairs.

(9) "Adult day care" means any place or facility operating less than 24 hours a day caring for individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of or assistance with activities of daily living.

(10) "Place or facility" means a building or any one or more complete floors of a building, or any one or more complete wings of a building, or any one or more complete wings and one or more complete floors of a building, and the term "place or facility" may include multiple buildings.

(11) "Skilled nursing care" means services performed by or under the immediate supervision of a registered professional nurse and additional licensed nursing personnel. Skilled nursing includes administration of medications and treatments as prescribed by a licensed physician or dentist; and other nursing functions which require substantial nursing judgment and skill based on the knowledge and application of scientific principles.

(12) "Supervised nursing care" means services provided by or under the guidance

of a licensed nurse with initial direction for nursing procedures and periodic inspection of the actual act of accomplishing the procedures; administration of medications and treatments as prescribed by a licensed physician or dentist and assistance of residents with the performance of activities of daily living.

(13) "Resident" means all individuals kept, cared for, treated, boarded or otherwise accommodated in any adult care home.

(14) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, and the legal successor thereof.

(15) "Operate an adult care home" means to own, lease, establish, maintain, conduct the affairs of or manage an adult care home, except that for the purposes of this definition the word "own" and the word "lease" shall not include hospital districts, cities and counties which hold title to an adult care home purchased or constructed through the sale of bonds.

(16) "Licensing agency" means the secretary of aging.

(17) "Skilled nursing home" means a nursing facility.

(18) "Intermediate nursing care home" means a nursing facility.

(19) "Apartment" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, a kitchen, sleeping, living and storage area and a lockable door.

(20) "Individual living unit" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, sleeping, living and storage area and a lockable door.

(21) "Operator" means an individual who operates an assisted living facility or residential health care facility with fewer than 61 residents, a home plus or adult day care facility and has completed a course approved by the secretary of health and environment on principles of assisted living and has successfully passed an examination approved by the secretary of health and environment on principles of assisted living and such other requirements as may be established by the secretary of health and environment by rules and regulations.

(22) "Activities of daily living" means those personal, functional activities required by an individual for continued well-being, including but not limited to eating, nutrition, dressing, personal hygiene, mobility, and toileting.

(23) "Personal care" means care provided by staff to assist an individual with, or to perform activities of daily living.

(24) "Functional impairment" means an individual has experienced a decline in physical, mental and psychosocial well-being and as a result, is unable to compensate for the effects of the decline.

(25) "Kitchen" means a food preparation area that includes a sink, refrigerator and a microwave oven or stove.

(26) The term "intermediate personal care home" for purposes of those individuals applying for or receiving veterans' benefits means residential health care facility.

(27) "Paid nutrition assistant" means an individual who is paid to feed residents of an adult care home, or who is used under an arrangement with another agency or organization, who is trained by a person meeting nurse aide instructor qualifications as prescribed by 42 C.F.R. § 483.152, 42 C.F.R. § 483.160 and paragraph (h) of 42 C.F.R. § 483.35, and who provides such assistance under the supervision of a registered professional or licensed practical nurse.

(28) "Medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder.

(b) The term "adult care home" shall not include institutions operated by federal or state governments, except institutions operated by the Kansas commission on veterans affairs, hospitals or institutions for the treatment and care of psychiatric patients, child care facilities, maternity centers, hotels, offices of physicians or hospices which are certified to participate in the medicare program under 42 code of federal regulations, chapter IV, section 418.1 *et seq.*, and amendments thereto, and which provide services only to hospice patients.

(c) Nursing facilities in existence on the effective date of this act changing licensure categories to become residential health care facilities shall be required to provide private bathing facilities in a minimum of 20% of the individual living units.

(d) Facilities licensed under the adult care home licensure act on the day immediately preceding the effective date of this act shall continue to be licensed facilities until the annual renewal date of such license and may renew such license in the appropriate licensure category under the adult care home licensure act subject to the payment of fees and other conditions and limitations of such act.

(e) Nursing facilities with less than 60 beds converting a portion of the facility to residential health care shall have the option of licensing for residential health care for less than six individuals but not less than 10% of the total bed count within a contiguous portion of the facility.

(f) The licensing agency may by rule and regulation change the name of the different classes of homes when necessary to avoid confusion in terminology and the agency may further amend, substitute, change and in a manner consistent with the definitions established in this section, further define and identify the specific acts and services which shall fall within the respective categories of facilities so long as the above categories for adult care homes are used as guidelines to define and identify the specific acts.

Sec. 3. On and after July 1, 2012, K.S.A. 2011 Supp. 39-931 is hereby amended to read as follows: 39-931. (a) Whenever the licensing agency finds a substantial failure to comply with the requirements, standards or rules and regulations established under this act or that a receiver has been appointed under K.S.A. 39-958, and amendments thereto, it shall make an order denying, suspending or revoking the license after notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 *et seq.*, and amendments thereto. Any applicant or licensee who is aggrieved by the order may appeal such order in accordance with the provisions of the Kansas judicial review act, K.S.A. 77-601 *et seq.*, and amendments thereto.

(b) Except as provided in subsection (c), whenever the licensing agency denies, suspends or revokes a license under this section, the applicant or licensee shall not be eligible to apply for a new license or reinstatement of a license for a period of two years from the date of denial, suspension or revocation.

(c) (1) Any applicant or licensee issued an emergency order by the licensing agency denying, suspending or revoking a license under this section may apply for a new license or reinstatement of a license at any time upon submission of a written waiver of any right conferred upon such applicant or licensee under the Kansas administrative

procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto, to the licensing agency in a settlement agreement or other manner as approved by the licensing agency.

(2) Any licensee issued a notice of intent to take disciplinary action by the licensing agency under this section may enter into a settlement agreement or other manner as approved by the licensing agency, with the licensing agency, at any time upon submission of a written waiver of any right conferred upon such licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(d) No person shall operate an intermediate care facility for people with intellectual disability of five beds or less, as defined by subsection (a)(4) of K.S.A. 39-923, and amendments thereto, within this state unless such person:

(A) Is issued a license by the licensing agency on or before January 1, 2012; or

(B) participated in the medicaid program as an intermediate care facility for people with intellectual disability of five beds or less, on or before January 1, 2012.

Sec. 4. On and after July 1, 2012, K.S.A. 39-931a is hereby amended to read as follows: 39-931a. (a) As used in this section, the term "person" means any person who is an applicant for a license to operate an adult care home or who is the licensee of an adult care home and who has any direct or indirect ownership interest of 25% or more in an adult care home or who is the owner, in whole or in part, of any mortgage, deed of trust, note or other obligation secured, in whole or in part, by such facility or any of the property or assets of such facility, or who, if the facility is organized as a corporation, is an officer or director of the corporation, or who, if the facility is organized as a partnership, is a partner.

(b) Pursuant to K.S.A. 39-931, and amendments thereto, the licensing agency may deny a license to any person and may suspend or revoke the license of any person who:

(1) Has willfully or repeatedly violated any provision of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated and ~~acts amendatory of the provisions thereof or supplemental amendments thereto;~~

(2) has had a license to operate an adult care home denied, suspended, revoked or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of such action of the other jurisdiction being conclusive evidence thereof;

(3) has failed or refused to comply with the medicaid requirements of title XIX of the social security act, or medicaid regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(4) has failed or refused to comply with the medicare requirements of chapter 7 of title 42 of the United States code, or medicare regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;

(5) has been convicted of a felony;

~~(3)~~ (6) has failed to assure that nutrition, medication and treatment of residents, including the use of restraints, are in accordance with acceptable medical practices; or

~~(4)~~(7) has aided, abetted, sanctioned or condoned any violation of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated;

or

~~(5)~~(8) has willfully admitted a person to a nursing facility in violation of K.S.A. 39-968, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 3, following line 22, by inserting:

"Sec. 6. On and after July 1, 2012, K.S.A. 39-931a and K.S.A. 2011 Supp. 39-923, 39-931 are hereby repealed.";

On page 1, in the title, in line 1, by striking "the board of" and inserting "licensure and"; in line 2, after "amending" by inserting "K.S.A. 39-931a and"; also in line 2, after "Supp." by inserting "39-923, 39-931 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT

PETE BRUNGARDT

LAURA KELLY

Conferees on part of Senate

BOB BETHELL

RON WORLEY

GERALDINE FLAHARTY

Conferees on part of House

On motion of Rep. Bethell, the conference committee report on **HB 2471** was adopted.

On roll call, the vote was: Yeas 106; Nays 15; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Calloway, Donohoe, Gregory, Hildabrand, Huebert, Kelley, Kinzer, O'Brien, O'Hara, Peck, Rubin, Scapa, Schwab, Tyson.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Sloan, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2730** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on

conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2730, as follows:

On page 25, in line 27, by striking "(1)" and inserting "and (c)(1)"; in line 28, by striking "(b)(5)" and inserting "(c)(4)";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Hoffman to not adopt the conference committee report on **S Sub for HB 2730** and that a new conference committee be appointed, the motion prevailed.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as second conferees on the part of the House.

On motion of Rep. Siegfried, the House adjourned until 9:30 a.m., Friday, May 4, 2012.

Journal of the House

SIXTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 4, 2012, 9:30 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 120 members present.

Rep. LeDoux was excused on verified illness.

Reps. Aurand, Hineman, Ruiz and Schwartz were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God in Heaven,
 In the midst of this wrap-up session,
 perhaps there are several who are feeling like this old adage:
 We have an important job to do
 and Everybody is sure that Somebody will do it.
 Anybody can do it, but Nobody has done it.
 Somebody is angry about this,
 because it is Everybody's job.
 Everybody thinks that Anybody can do it,
 but Nobody realizes that
 Everybody won't do it.
 Help us not to end up with
 Everybody blaming Somebody,
 when Nobody does
 what Anybody can do.
 As we work together today to accomplish
 the work for which we have been elected,
 help us to dialogue—
 keeping in mind that two monologues do not make a dialogue.
 Help us to listen—
 keeping in mind that mouth and ears cannot be engaged at the same time.
 And grant us wisdom—
 keeping in mind that communication and collaboration can bring resolution.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Moxley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **Sub SB 449**.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 14**.

The Senate adopts the Conference Committee report on **SB 262**.

The Senate adopts the Conference Committee report on **S Sub for HB 2313**.

The Senate adopts the Conference Committee report on **S Sub for HB 2596**.

The Senate not adopts the Conference Committee report on **H Sub for Sub SB 148**, requests a conference and appoints Senators Taddiken, Teichman and Francisco as second conferees on the part of the Senate.

Also, announcing passage of **HB 2249**, as amended by **S Sub for S Sub for HB 2249**; **HB 2324**, as amended; **Sub HB 2333**, as amended by **S Sub for Sub HB 2333**; **HB 2729**, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 148**.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for S Sub for HB 2249**; **S Sub for Sub HB 2333**; **HB 2562**, **HB 2690**, **HB 2792**, **HB 2793**; **H Sub for SB 79**; **H Sub for SB 313**; **SB 314**, **SB 356**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. M. Holmes, the House nonconcurred in Senate amendments to **S Sub for Sub HB 2333** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. M. Holmes, Grange and Ruiz as conferees on the part of the House.

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Grange in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Grange, Committee of the Whole report, as follows, was adopted: Recommended that **HB 2792**; **SB 356** be passed.

Committee report to **HB 2793** be adopted; and the bill be passed as amended.

Committee report to **SB 314** be adopted; and the bill be passed as amended.

On motion of Rep. Otto, **HB 2690** be referred to Committee on Health and Human Services.

Committee report recommending a substitute bill to **H Sub for SB 313** be adopted; also, on motion of Rep. Rubin, be amended on page 2, in line 9, after "abortions" by inserting a comma; in line 11, by striking the period and inserting ": Provided however, that"; also in line 11, by striking "act" and inserting "subsection"; in line 12, by striking "their" and inserting "such physician's";

On page 13, in line 2, by striking all after "received"; in line 3, by striking all before "available";

On page 15, in line 34, by striking "abortion services,";

On page 17, in line 13, by striking "abortion services,";

On motion of Rep. Loganbill to amend **H Sub for SB 313**, the motion did not prevail.

Roll call was demanded on motion of Rep. Bollier to refer **H Sub for SB 313** to Committee on Health and Human Services.

On roll call, the vote was: Yeas 35; Nays 76; Present but not voting: 0; Absent or not voting: 14.

Yeas: Ballard, Bollier, Burroughs, Carlin, Colloton, Davis, Finney, Flaharty, Frownfelter, S. Gatewood, Gordon, Henderson, Hill, Johnson, Kuether, Lane, Loganbill, Mah, McCray-Miller, Peterson, Phillips, Proehl, Roth, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hoffman, C. Holmes, Howell, Huebert, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Phelps, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Smith, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Billinger, Brookens, Hineman, M. Holmes, Kelley, Landwehr, LeDoux, O'Neal, Pottorff, Ruiz, Schwartz, Suellentrop.

The motion of Rep. Bollier did not prevail.

Also, roll call was demanded on motion of Rep. Bollier to amend **H Sub for SB 313**, on page 11, following line 15, by inserting:

"(4) a description of risks related to the continuation of pregnancy, including but not limited to: Bleeding during pregnancy, cervical cerclage, cholestasis of pregnancy, fetal alcohol spectrum disorders (FASD), gestational diabetes, gestational hypertension, polyhydramnios (high amniotic fluid levels), hyperemesis gravidarum, incompetent cervix, small for gestational age, oligohydramnios (low amniotic fluid levels), miscarriage, molar pregnancy, placenta accreta, placenta previa, placental abruption, preeclampsia, and Rh factor disease; complications that a reasonable patient would consider material to the decision of whether or not to continue with the pregnancy;"

And by renumbering remaining paragraphs accordingly;

On roll call, the vote was: Yeas 37; Nays 77; Present but not voting: 0; Absent or not voting: 11.

Yeas: Ballard, Bollier, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn,

Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grosserode, Henderson, Hill, Kuether, Loganbill, Mah, McCray-Miller, Meier, Peterson, Phelps, Pottorff, Roth, Slattery, Sloan, Spalding, Tietze, Trimmer, Victors, Ward, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Boman, Bowers, Brookens, Brown, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf.

Present but not voting: None.

Absent or not voting: Aurand, Bethell, Billinger, Bruchman, Henry, Hineman, Lane, LeDoux, Ruiz, Schwab, Schwartz.

The motion of Rep. Bollier did not prevail.

Also, on further motion of Rep. Bollier to amend **H Sub for SB 313**, the motion did not prevail. Also, on motion of Rep. Johnson to amend, the motion did not prevail, and **H Sub for SB 313** be passed as amended.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Henry are spread upon the Journal:

Today we gather to remember and to express our sympathy to the family of David Ernest Enzbrenner of the Atchison Police Department. On Friday, December 9, 2011, Sgt. Enzbrenner was killed in the line of duty.

Today is the State of Kansas Law Enforcement Memorial Service, and the name of Sgt. David E. Enzbrenner will be added to the memorial monument located on the grounds of the State Capitol Building.

We have with us today, the family of David Enzbrenner: David's wife, Kerri; and his three daughters Avery, Abbi, and Celia. The Kansas House of Representatives wishes to express our deepest sympathy to Sgt. Enzbrenner's entire family.

Also with us today, is the Atchison Police Department. They have come to Topeka today to remember their brother officer as his name is added to the Police Officer's memorial. Chief of Police, Michael Wilson, is also with us. Chief Wilson asked me to express his deep appreciation to the House of Representatives, and to the entire State of Kansas for the tremendous outpouring of sympathy and support that his police department received. Over 500 police officers from the entire State of Kansas came to Atchison to participate in the funeral of David Enzbrenner and to show support to their brother law enforcement officers.

I would like to ask the House of Representatives to show our deepest sympathy to the David Enzbrenner family, the Atchison Police Department, and the Community of Atchison. We would also like to express our appreciation to the dedicated service of all law enforcement officers in the State

REPORTS OF STANDING COMMITTEES

Education Budget Committee recommends **Sub SB 393**, be amended by adoption of the amendments recommended by the House Committee on Education as reported in the Journal of the House on March 19, 2012, and the bill, as printed with House Committee amendments, be further amended:

On page 10, in line 6, following "(2)", by inserting:

"Each school year, to the extent there are sufficient moneys appropriated to the career technical education secondary program, the state board of regents shall distribute state funds to community colleges, technical colleges and the Washburn institute of technology for the cost associated with secondary students enrolled in postsecondary career technical education programs as determined by the state board of regents.";

Also on page 10, in line 12, before "For", by inserting:

"(3)";

On page 11, in line 37, following "2012-2013" by inserting ", school year 2013-2014 and school year 2014-2015";

On page 12, in line 4, by striking "2013-2014" and inserting "2015-2016";

Also on page 12, following line 11, by inserting:

"New Sec. 9. On or before January 15, 2014, the state board of education shall prepare a report to the legislature proposing a strategy and plan for providing state aid to career technical education programs or courses in school districts. In preparing such report, the state board of education shall consider the funding scheme under the postsecondary tiered technical education state aid act. The report shall include, but not be limited to, recommendations for legislative changes and estimates of the cost to the state of implementing such changes.

New Sec. 10. (a) If a pupil submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the pupil should not have been eligible for free meals, the district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the district and the general fund budget of the district based on the adjusted enrollment of the district excluding the at-risk pupil weighting, medium density at-risk pupil weighting and high density at-risk pupil weighting, if any, assigned to such pupil.

(b) If a pupil becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such pupil shall not be excluded from the calculation of the adjusted enrollment of the district if the district forwards a copy of such documentation to the state board no later than January 14 of the school year.

(c) This section shall be part of and supplemental to the school district finance and quality performance act. This section shall be applicable to school year 2012-2013 and each school year thereafter.

Sec. 11. K.S.A. 2011 Supp. 72-6455 is hereby amended to read as follows: 72-6455. (a) ~~As used in this section, school district means any district having: (1) An enrollment of at least 50% at-risk pupils; or (2) an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile.~~

~~(b) The high density at-risk pupil weighting of each school district shall be determined by the state board by multiplying the number of at-risk pupils by .10. The product is the high density at-risk pupil weighting of the district.~~

~~(c) If a school district becomes ineligible for high density at-risk pupil weighting because enrollment of at-risk pupils in the district falls below the requirements of subsection (a), the high density at-risk pupil weighting of the district shall be the greater of: (1) The high density at-risk pupil weighting in the current school year; (2) the high density at-risk pupil weighting in the prior school year; or (3) the average of the high density at-risk pupil weighting in the current school year and the preceding two school years.~~

~~The provisions of this subsection paragraph shall expire on June 30, 2011.~~

The high density at-risk pupil weighting of each school district shall be determined by the state board as follows:

(A) Except as provided in subparagraph (C), if the district has an enrollment of at least 35%, but less than 50% at-risk pupils, the state board shall:

(i) Subtract 35% from the percentage of at-risk enrollment in the district;

(ii) multiply the amount determined under clause (i) by .7; and

(iii) multiply the number of at-risk pupils enrolled in the district by the product determined under clause (ii). The resulting product is the high density at-risk pupil weighting of the district.

(B) If the district has an enrollment of 50% or more at-risk pupils, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

(C) If the district has an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

Sec. 12. K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) (A) determine a state aid percentage factor for each school district by assigning

a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. ~~The state aid computation percentage is 25%;~~

(B) (i) For levies imposed by a school district pursuant to a resolution adopted and published under this section prior to July 1, 2012, and such resolution either was not protested or that it was protested and an election has been held prior to July 1, 2012, the state aid computation percentage is 25%.

(ii) For levies imposed by a school district pursuant to a resolution adopted and published under this section prior to July 1, 2012, and the protest period had not expired prior to July 1, 2012, or such resolution was protested and the election was not held prior to July 1, 2012, the state aid computation percentage is 15%.

(iii) For levies imposed by a school district pursuant to a resolution adopted on or after July 1, 2012, the state aid computation percentage is 15%; and

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto; and

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, 2012, or June 30, 2013. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 13. K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-

2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) ~~(A)~~ determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2010 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. ~~The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;~~

(B) (i) For contractual bond obligations incurred by a school district prior to July 1, 1992, the state aid computation percentage is 5%.

(ii) For contractual bond obligations incurred by a school district on or after July 1, 1992, if the issuance of such bonds has been approved by the electors of the school district at an election held prior to January 1, 2013, the state aid computation percentage is 25%.

(iii) For contractual bond obligations incurred by a school district the issuance of which was approved by the electors of the district at an election held on or after January 1, 2013, the state aid computation percentage is 15%;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district ~~prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act~~ under paragraphs (4)(B)(i), (4)(B)(ii) and (4)(B)(iii) of this subsection;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, ~~except that all such transfers during the fiscal years ending June 30, 2011, and June 30, 2012, shall be considered to be revenue transfers from the state general fund.~~

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

New Sec. 14. (a) As used in this section:

(1) "School district" or "district" means a school district having less than 200 square miles in area and an enrollment of less than 400.

(2) "Joint committee" means the joint committee on state building construction.

(b) The board of education of any school district shall not authorize the issuance of any bonds for the construction of a new building without having first advised and consulted with the joint committee. Prior to the date of the hearing of the joint committee at which the board is scheduled to appear, the board shall submit any information requested by the joint committee. Following such hearing, the committee shall make a recommendation on the advisability of the proposed issuance of bonds. A copy of the committee's recommendation shall be provided to the school district and to the state board of education within 15 days of the date of the hearing.

(c) The provisions of this section shall not apply to any district which is not entitled to state aid under K.S.A. 75-2319, and amendments thereto.

New Sec. 15. Moneys received by a school district from bonds issued by the school district shall be used for the purposes for which the bonds were issued in pursuant to the election on the bonds.

New Sec. 16. (a) As used in this section:

(1) "Applicant" means a person who:

(A) Is seeking certification as a teacher at the secondary level in the state of Kansas to teach a career technical education course or program in a school district; and

(B) is currently employed by a community college, technical college or the institute of technology, to teach a career technical education course or program;

(2) "board" means the board of education of any public school district;

(3) "career technical education" shall have the same meaning as such term is defined in K.S.A. 72-4412, and amendments thereto;

(4) "career technical education course or program" means a course or program approved by the state board for high school credit;

(5) "teacher preparation program" means professional education pedagogy coursework provided at an accredited college or university engaged in teacher preparation; and

(6) "state board" means the state board of education.

(b) No applicant shall be required to complete a teacher preparation program prior to certification as a teacher in the area of instruction of career technical education.

(c) An applicant shall be authorized to teach only in the subject or subjects specified on the face of the certificate to teach.

(d) The state board shall adopt rules and regulations necessary to carry out the provisions of this section.

(e) This section shall be part of and supplemental to the provisions of article 13 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 17. (a) (1) The board of education of each school district may apply to the state board for a grant of state moneys for the purpose of paying the costs for a probationary teacher or administrative employee to attend mentor programs. The state board shall award such grants of state moneys in accordance with the provisions of this section.

(2) To be eligible to receive a grant of state moneys, a board of education shall submit to the state board an application for a grant. The application shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of the application is prerequisite to the award of a grant.

(3) Each board of education which is awarded a grant shall make such periodic and special reports of statistical, financial and such other information to the state board as the state board may request.

(b) The state board may adopt rules and regulations, which establish:

(1) Standards and criteria for evaluating and approving mentor programs and applications of school districts for grants; and

(2) the evaluation and approval of mentor programs.

(c) Within the limitations of appropriations therefor, the state board shall determine the amount of grants to be awarded to each school district by considering the number of probationary teachers and administrative employees participating in a mentor program. Upon receipt of a grant of state moneys, in accordance with this section, the amount of the grant shall be deposited in the general fund of a school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the school district finance and quality performance

act. The full amount of the grant shall be allocated among the probationary teachers and administrative employees employed by the school district.

(d) The state board shall provide any board of education of any school district, upon request, with technical advice and assistance regarding an application for a grant of state moneys.

(e) This section shall be part of and supplemental to the provisions of article 14 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 18. Evaluations adopted under K.S.A. 72-9004, and amendments thereto, shall meet the following criteria:

(a) Multiple measures of student achievement and growth to significantly inform the evaluation. Such multiple measures shall be determined by the state board of education.

(b) (1) An annual designation of each employee in one of the following rating categories:

- (A) Highly effective;
- (B) effective;
- (C) progressing; or
- (D) ineffective.

(2) The designation of a rating category under this subsection shall be based on the employee's performance using growth in student achievement as measured pursuant to subsection (a) as the primary factor for the evaluation.

(3) As used in this subsection the terms "highly effective," "effective," "progressing" and "ineffective" shall be defined by the state board of education so as to clearly describe the effectiveness of an employee in accordance with the standards for effective employees as established by law or rules and regulations.

(c) Recommendations for areas in which the employee shall improve to achieve a higher rating category.

(d) A plan of assistance including, but not limited to, a timeline for when any recommended improvement is expected to be achieved. If the employee receives a rating of "progressing" or "ineffective," such plan of assistance shall also include a process by which such employee is given the opportunity to correct the identified deficiencies in the employee's performance.

(e) This section shall be part of and supplemental to the provisions of article 90 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 19. (a) Grounds for nonrenewal or termination of a contract of a teacher who has earned due process protections and rights under K.S.A. 72-5445, and amendments thereto, include, but are not limited to, a teacher's receipt of a rating designation of ineffective pursuant to K.S.A. 72-9001 *et seq.*, and amendments thereto, in two consecutive school years and, during such two-year period, the teacher was provided an opportunity to participate in appropriate professional development in accordance with the provisions of K.S.A. 72-9601 *et seq.*, and amendments thereto.

(b) This section shall be part of and supplemental to the provisions of article 54 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 20. (a) Any moneys received under K.S.A. 72-9608, and amendments thereto, shall be expended towards deficiencies identified through the evaluation procedure set forth in K.S.A. 72-9001 *et seq.*, and amendments thereto, and to support activities identified by the state board of education that measure teacher performance,

including, but not limited to, growth in student achievement.

(b) The state board of education shall adopt any rules and regulations relating to expenditures of state aid which the state board deems necessary to administer and enforce the professional development act.

(c) This section shall be part of and supplemental to the professional development act.

Sec. 21. K.S.A. 72-1412 is hereby amended to read as follows: 72-1412. As used in K.S.A. 72-1412 through 72-1415 and section 17, and amendments thereto:

(a) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity, and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto.

(b) "Mentor program" means any research-based mentoring program approved by the state board for the purpose of providing probationary teachers and administrative employees with professional support.

(c) "Mentor teacher program" means a program established and maintained by the board of education of a school district for the purpose of providing probationary teachers with professional support and the continuous assistance of an on-site mentor teacher.

~~(b)~~(d) "Mentor teacher" means a certificated teacher who has completed at least three consecutive school years of employment in the school district, has been selected by the board of education of the school district on the basis of having demonstrated exemplary teaching ability as indicated by criteria established by the state board of education, and has participated in and successfully completed a training program for mentor teachers provided for by the board of education of the school district in accordance with guidelines prescribed by the state board of education. The primary function of a mentor teacher shall be to provide probationary teachers with professional support and assistance. A mentor teacher may provide assistance and guidance to not more than two probationary teachers.

~~(e)~~(e) "Probationary teacher" means a certificated teacher to whom the provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto, do not apply.

(f) "State board" means the state board of education.

Sec. 22. K.S.A. 2011 Supp. 72-5413 is hereby amended to read as follows: 72-5413. As used in this act ~~and in acts amendatory thereof or supplemental thereto:~~

(a) The term "persons" includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.

(b) "Board of education" means the state board of education pursuant to its authority under K.S.A. 76-1001a and 76-1101a, and amendments thereto, the board of education of any school district, the board of control of any area vocational-technical school and the board of trustees of any community college.

(c) "Professional employee" means any person employed by a board of education in a position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not mean any such person who is an administrative employee and, commencing in the 2006-2007 school year, shall not mean any person who is a retirant from school employment of the Kansas public employees retirement system, regardless

of whether an agreement between a board of education and an exclusive representative of professional employees that covers terms and conditions of professional service provides to the contrary.

(d) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto; and, in the case of an area vocational-technical school or community college, any person who is employed by the board of control or the board of trustees in an administrative capacity and who is acting in that capacity and who has authority, in the interest of the board of control or the board of trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(e) "Professional employees' organizations" means any one or more organizations, agencies, committees, councils or groups of any kind in which professional employees participate, and which exist for the purpose, in whole or part, of engaging in professional negotiation with boards of education with respect to the terms and conditions of professional service.

(f) "Representative" means any professional employees' organization or any person it authorizes or designates to act in its behalf or any person a board of education authorizes or designates to act in its behalf.

(g) "Professional negotiation" means meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.

(h) "Mediation" means the effort through interpretation and advice by an impartial third party to assist in reconciling a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation between a board of education or its representatives and representatives of the recognized professional employees' organization.

(i) "Fact-finding" means the investigation by an individual or board of a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation, and the submission of a report by such individual or board to the parties to such dispute which includes a determination of the issues involved, findings of fact regarding such issues, and the recommendation of the fact-finding individual or board for resolution of the dispute.

(j) "Strike" means an action taken for the purpose of coercing a change in the terms and conditions of professional service or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including, but not limited to, any work stoppage, slowdown, or refusal to work.

(k) "Lockout" means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.

(l) (1) "Terms and conditions of professional service" means: (A) (i) Salaries and wages, including pay for duties under supplemental contracts; hours and amounts of

work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts, in accordance with state law; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures in accordance with state law and subject to the limitations in subsection (I) (1)(A)(ii); each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (ii) on and after the adoption by the state board of education, by rules and regulations, of the Kansas education evaluation protocol or statewide evaluation system substantially similar to the Kansas education evaluation protocol, for a board of education of any school district, the term "terms and conditions of professional service" does not include professional employee appraisal procedures; (B) matters which relate to privileges to be granted the recognized professional employees' organization including, but not limited to, voluntary payroll deductions; use of school or college facilities for meetings; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto.

(2) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (1), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(3) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.

(n) "Statutory declaration of impasse date" means June 1 in the current school year.

(o) "Supplemental contracts" means contracts for employment duties other than those services covered in the principal or primary contract of employment of the professional employee and shall include, but not be limited to, such services as coaching, supervising, directing and assisting extracurricular activities, chaperoning,

ticket-taking, lunchroom supervision, and other similar and related activities.

Sec. 23. K.S.A. 2011 Supp. 72-9002 is hereby amended to read as follows: 72-9002. As used in this act:

- (a) "Accredited" means accredited by the state board of education.
- (b) "Board" means the board of education of a school district, the governing authority of any nonpublic school offering any of grades kindergarten through 12 in accredited schools and the board of control of an area vocational-technical school.
- ~~(b) "State board" means, in the case of school districts and nonpublic schools, the state board of education; and in the case of area vocational-technical schools, the state board of regents.~~
- (c) "Employees" means all licensed employees of school districts and of nonpublic schools ~~and all instructional and administrative employees of area vocational-technical schools.~~
- (d) "School year" means the period from July 1 to June 30.
- (e) "Accredited" means accredited by the state board of education. "State board" means, in the case of school districts and nonpublic schools, the state board of education, and in the case of area vocational-technical schools, the state board of regents.
- (f) "Superintendent" means the superintendent of schools, or the superintendent's designee, for the school district employing the employee.
- (g) "Teacher" means any instructor who holds a teacher's certificate issued by the state board.

Sec. 24. K.S.A. 2011 Supp. 72-9003 is hereby amended to read as follows: 72-9003. Each board shall adopt a written policy of personnel evaluation procedure in accordance with K.S.A. 72-9002 *et seq.*, and amendments thereto. For school districts, such policy shall include, but is not limited to, the Kansas educator evaluation protocol adopted by the state board of education. Every policy so adopted shall:

- (a) Be prescribed in writing at the time of original adoption and at all times thereafter when any amendments are adopted;
- (b) Include evaluation procedures applicable to all employees;
- (c) Provide that all evaluations are to be made in writing and that evaluation documents and responses thereto are to be maintained in a personnel file for each employee for a period of not less than three years from the date each evaluation is made;
- (d) (1) Except as provided herein and in subsection (d)(2), provide that every employee in the first two consecutive school years of employment shall be evaluated at least one time per semester by not later than the 60th school day of the semester. Any employee who is not employed for the entire semester shall not be required to be evaluated. During the third and fourth years of employment, every employee shall be evaluated at least one time each school year by not later than February 15. After the fourth year of employment, every employee shall be evaluated at least once in every three years not later than February 15 of the school year in which the employee is evaluated;
- (2) if a teacher receives a rating designation of progressing or ineffective pursuant to K.S.A. 72-9001 et seq., and amendments thereto, in such teacher's most recent evaluation, such teacher shall be evaluated at least one time per semester by not later than the 60th school day of the semester;

(e) for school districts, provide, at a minimum, the guidelines described in the Kansas educator evaluation protocol adopted by the state board of education; and
(f) be approved by the state board.

Sec. 25. K.S.A. 72-9004 is hereby amended to read as follows: 72-9004. Evaluation policies adopted under K.S.A. 72-9003, and amendments thereto, shall meet the following guidelines or criteria:

(a) Consideration shall be given to the following employee attributes: Efficiency, personal qualities, professional deportment, ability, results and performance, including improvement in the academic performance of pupils or students insofar as the evaluated employee has authority to cause such academic improvement, in the case of teachers, the capacity to maintain control of pupils or students, and such other matters as may be deemed material.

(b) Community attitudes toward, support for and expectations with regard to educational programs shall be reflected.

(c) The original policy and amendments thereto shall be developed by the board in cooperation with the persons responsible for making evaluations and the persons who are to be evaluated, and, to the extent practicable, consideration shall be given to comment and suggestions from other community interests.

(d) Evaluations of the chief administrator employed by a board shall be made by the board. The board shall place primary responsibility upon members of the administrative staff in making evaluations of other employees.

(e) Persons to be evaluated shall participate in their evaluations, and shall be afforded the opportunity for self-evaluation.

(f) The contract of any person subject to evaluation shall not be nonrenewed on the basis of incompetence unless an evaluation of such person has been made prior to notice of nonrenewal of the contract and unless the evaluation is in substantial compliance with the board's policy of personnel evaluation procedure as filed with the state board in accordance with the provisions of K.S.A. 72-9003, and amendments thereto.

(g) Evaluations shall comply with the provisions of K.S.A. 72-9001 et seq., and amendments thereto.

Sec. 26. K.S.A. 72-9005 is hereby amended to read as follows: 72-9005. (a) Whenever any evaluation is made of an employee, the written document thereof shall be presented to the employee, and the employee shall acknowledge such presentation by ~~his or her signature thereon~~ signing such written document. At any time not later than two (2) weeks after such presentation, the employee may respond thereto in writing.

(b) If an employee receives a rating designation of progressing or ineffective pursuant to section 18, and amendments thereto, such employee shall be entitled to an in-person conference with the superintendent to discuss such employee's evaluation.

(c) Except by order of a court of competent jurisdiction, evaluation documents and responses thereto shall be available only to the evaluated employee, the board, the appropriate administrative staff members designated by the board, the school board attorney upon request of the board, the state board of education as provided in K.S.A. 72-7515, and amendments thereto, the board and the administrative staff of any school to which such employee applies for employment, and other persons specified by the employee in writing to his or her board.

Sec. 27. K.S.A. 2011 Supp. 72-9608 is hereby amended to read as follows: 72-

9608. (a) In each school year, each school district which is maintaining an approved professional development program shall be eligible to receive from state funds, within the limits of appropriations for professional development, an amount to be determined by the state board on the basis of priorities established ~~through a needs-assessment survey conducted by the state board~~ pursuant to section 20, and amendments thereto. In no event shall the amount allocated and distributed to any school district under this act exceed: (1) An amount which is equal to .50 of 1% of the amount of the general fund budget of the school district, or an amount equal to 50% of the actual expenses incurred by the school district in maintaining an approved professional development program, whichever is the lesser amount; or (2) an amount which is equal to 50% of the actual expenses incurred by the school district for the provision of innovative and experimental procedures, activities and services, if any of the same are provided and approved by the state board, in a professional development program maintained by the school district and approved by the state board.

(b) If the amount of appropriations for professional development programs is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive state aid under the provisions of this act in proportion to the amount each school district is determined to be eligible to receive.

(c) The state board shall prescribe all forms necessary for reporting under this act.

(d) Every board shall make such periodic and special reports of statistical and financial information to the state board as it may request.

Sec. 28. K.S.A. 2011 Supp. 72-978 is hereby amended to read as follows: 72-978.

(a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local ~~option~~ operating budgets of all school districts;

(2) subtract from the amount determined in paragraph (1) the total amount attributable to assignment of transportation weighting, program weighting, special education weighting and at-risk pupil weighting to enrollment of all school districts;

(3) divide the remainder obtained in paragraph (2) by the total number of full-time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in paragraph (3) by the full-time equivalent enrollment determined in paragraph (4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under paragraphs (6) and (7) to the amount of the product obtained under paragraph (5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under paragraph (8) from the amount determined under paragraph (9); and

(11) multiply the remainder obtained under paragraph (10) by 92%.

The computed amount is the amount of state aid for the provision of special education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall be entitled to receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children; such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services; such reimbursement shall not be paid if such child has been counted in determining the transportation weighting of the district under the provisions of the school district finance and quality performance act;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services; such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) subject to the provisions of subsection (f) and except for those school districts entitled to receive reimbursement under subsection (c) or (d), after subtracting the amounts of reimbursement under paragraphs (1), (2) and (3) of this subsection (a) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, the Atchison juvenile correctional facility, the Larned juvenile correctional facility, or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

(f) (1) In school year 2012-2013 and in each school year thereafter, the state board of education shall determine the minimum and maximum amount of state aid that a school district may receive under paragraph (4) of subsection (b) for the current school year as follows:

(A) Determine the total amount of moneys appropriated as state aid for the provision of special education and related services to all school districts for the current school year;

(B) subtract the amount of moneys paid to all school districts under paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983 and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current school year;

(C) divide the remainder obtained under (B) by the total full-time equivalent enrollment of all school districts in the current school year;

(2) (A) multiply the quotient obtained under (1) (C) by the full-time equivalent enrollment of the school district in the current school year;

(B) multiply the product obtained under (2) (A) by .75. The product is the minimum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year;

(C) multiply the quotient obtained under (2) (A) by 1.50. The product is the maximum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year.

(3) If the amount determined under paragraph (4) of subsection (b) is less than the product obtained under (2)(B), the district shall receive state aid in an amount equal to the product obtained under (2)(B), plus any amount determined under paragraph (5) of this subsection.

(4) If the amount determined under paragraph (4) of subsection (b), plus any amount determined under paragraph (5) of this subsection, is greater than the product obtained under (2) (C), the district shall receive state aid in an amount equal to the product obtained under (2)(C). The balance of state aid remaining after determining the amount of state aid payable to districts under this paragraph shall be reallocated to districts as provided by paragraph (5) of this subsection.

(5) The balance of state aid remaining after determining the amount of state aid payable to districts under paragraph (4) of this subsection shall be reallocated to districts which have not received state aid in an amount equal to the product obtained

under (2)(B). Such state aid shall be reallocated to such districts in the same manner as the original allocation. If the balance is insufficient to pay each such district the minimum amount specified in this subsection, the state board shall prorate the balance among such districts.

(6) The provisions of this subsection (f) shall expire on June 30, 2014.

Sec. 29. K.S.A. 2011 Supp. 72-6409 is hereby amended to read as follows: 72-6409. (a) "General fund" means the fund of a district from which operating expenses are paid and in which is deposited the proceeds from the tax levied under K.S.A. 72-6431, and amendments thereto, all amounts of general state aid under this act, payments under K.S.A. 72-7105a, and amendments thereto, amounts transferred from the supplemental general fund to the general fund of a district in accordance with subsection (j)(5) of K.S.A. 72-6433, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program, and such other moneys as are provided by law.

(b) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-6430, and amendments thereto.

(c) "General fund budget" means the amount budgeted for operating expenses in the general fund of a district.

(d) "Budget per pupil" means the general fund budget of a district divided by the enrollment of the district.

(e) "Program weighted fund" means and includes the following funds of a district: Vocational education fund, preschool-aged at-risk education fund and bilingual education fund.

(f) "Categorical fund" means and includes the following funds of a district: Special education fund, food service fund, driver training fund, adult education fund, adult supplementary education fund, area vocational school fund, professional development fund, parent education program fund, summer program fund, extraordinary school program fund, and educational excellence grant program fund.

Sec. 30. K.S.A. 2011 Supp. 72-6410 is hereby amended to read as follows: 72-6410. (a) "State financial aid" means an amount equal to the product obtained by multiplying base state aid per pupil by the adjusted enrollment of a district.

(b) (1) "Base state aid per pupil" means an amount of state financial aid per pupil. Subject to the other provisions of this subsection, the amount of base state aid per pupil is ~~\$4,433 in school year 2008-2009 and \$4,492 in school year 2009-2010~~ \$4,200 in school year 2012-2013 and each school year thereafter.

(2) The amount of base state aid per pupil is subject to reduction commensurate with any reduction under K.S.A. 75-6704, and amendments thereto, in the amount of the appropriation from the state general fund for general state aid. If the amount of appropriations for general state aid is insufficient to pay in full the amount each district is entitled to receive for any school year, the amount of base state aid per pupil for such school year is subject to reduction commensurate with the amount of the insufficiency.

(c) "Local effort" means the sum of an amount equal to the proceeds from the tax levied under authority of K.S.A. 72-6431, and amendments thereto, and an amount transferred from the supplemental general fund to the general fund in accordance with subsection (j)(5) of K.S.A. 72-6433, and amendments thereto, and an amount equal to

any unexpended and unencumbered balance remaining in the general fund of the district, except amounts received by the district and authorized to be expended for the purposes specified in K.S.A. 72-6430, and amendments thereto, and an amount equal to any unexpended and unencumbered balances remaining in the program weighted funds of the district, except any amount in the vocational education fund of the district if the district is operating an area vocational school, and an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to the repeal of such statutory sections, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district under the provisions of subsection (a) of K.S.A. 72-1046a, and amendments thereto, and an amount equal to the amount deposited in the general fund in the current school year from amounts received in such year by the district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto, and an amount equal to the amount credited to the general fund in the current school year from amounts distributed in such year to the district under the provisions of articles 17 and 34 of chapter 12 of Kansas Statutes Annotated and under the provisions of articles 42 and 51 of chapter 79 of Kansas Statutes Annotated, and an amount equal to the amount of payments received by the district under the provisions of K.S.A. 72-979, and amendments thereto, and an amount equal to the amount of a grant, if any, received by the district under the provisions of K.S.A. 72-983, and amendments thereto, and an amount equal to 70% of the federal impact aid of the district.

(d) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

Sec. 31. K.S.A. 2011 Supp. 72-6415b is hereby amended to read as follows: 72-6415b. School facilities weighting may be assigned to enrollment of a district only if the district has adopted a local ~~option-operating~~ budget in an amount equal to at least 25% of the amount of the state financial aid determined for the district in the current school year. School facilities weighting may be assigned to enrollment of the district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

Sec. 32. K.S.A. 2011 Supp. 72-6433 is hereby amended to read as follows: 72-6433. (a) As used in this section:

(1) "State prescribed percentage" means 31% of state financial aid of the district in the current school year.

(2) "Authorized to adopt a local ~~option-operating~~ budget" means that a district has adopted a resolution under this section, has published the same, and either the resolution was not protested or it was protested and an election was held by which the adoption of a local ~~option-operating~~ budget was approved.

(b) (1) In each school year, the board of any district may shall adopt a local ~~option~~

operating budget which does not exceed the state prescribed percentage, which shall be at least 10% but not more than 30% of the state financial aid of the district in the current school year.

(2) Subject to subsection (i), in each school year, the board of any district may adopt a local operating budget in excess of 30% of the state financial aid of the district in the current school year. Such excess percentage shall be adopted by separate resolution.

~~(c) Subject to the limitation of subsection (b)(1), in each school year, the board of any district may adopt, by resolution, a local option operating budget in an amount shall not to exceed:~~

(1) (A) The amount which the board was authorized to adopt in accordance with the provisions of this section in effect prior to its amendment by this act; plus

(B) the amount which the board was authorized to adopt pursuant to any resolution currently in effect; plus

(C) the amount which the board was authorized to adopt pursuant to K.S.A. 72-6444, and amendments thereto, if applicable to the district; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (j).

~~Except as provided by subsection (c), the adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.~~

(d) If the board of a district desires to increase its local option operating budget authority above the amount authorized under subsection (c) or if the board was not authorized to adopt a local option budget in 2006-2007, the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____, _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option operating budget in each school year in an amount not to exceed ____% of the amount of state financial aid. The local option operating budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option operating budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified School District

No. _____, _____ County, Kansas, on the _____ day of _____,
_____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled as is appropriate. If a sufficient petition is not filed, the board may adopt a local ~~option~~ operating budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local ~~option~~ operating budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(e) Any resolution ~~authorizing the adoption of a local option budget in excess of 30% of the state financial aid of the district in the current school year adopted under subsection (b)(2)~~ shall not become effective unless such resolution specifying the excess percentage has been submitted to and approved by a majority of the qualified electors of the school district voting at an election called and held thereon. The election shall be called and held in the manner provided by K.S.A. 10-120, and amendments thereto.

(f) Unless specifically stated otherwise in the resolution, the authority to adopt a local ~~option~~ operating budget shall be continuous and permanent. ~~The board of any district which is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.~~

(g) The board of any district may initiate procedures to renew or increase the authority to adopt a local ~~option~~ operating budget at any time during a school year after the tax levied pursuant to K.S.A. 72-6435, and amendments thereto, is certified to the county clerk under any existing authorization.

(h) The board of any district that is authorized to adopt a local ~~option~~ operating budget prior to the effective date of this act under a resolution which authorized the adoption of such budget in accordance with the provisions of this section in effect prior to its amendment by this act may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section as amended by this act. Any such district shall operate under the provisions of this section as amended by this act after the period of time specified in the resolution has expired.

(i) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions which are in effect shall expire on the same date. The maximum amount of the local ~~option~~ operating budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(j) (1) There is hereby established in every district ~~that adopts a local option budget~~

a fund which shall be called the supplemental general fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitation imposed under ~~paragraph~~ ~~paragraphs~~ (3) ~~and~~ (5) and subsection (e) of K.S.A. 72-6434, and amendments thereto, amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any program weighted fund or categorical fund of the district. Amounts in the supplemental general fund attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local ~~option~~ operating budget in excess of 25%.

(3) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings which is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in paragraph (B), any unexpended ~~budget~~ ~~moneys~~ remaining in the supplemental general fund of a district at the conclusion of any school year in which a local ~~option~~ operating budget is adopted shall be maintained in such fund.

(B) If the district received supplemental general state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local ~~option~~ operating budget of the district for the school year and multiply the total amount of the unexpended budget remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the district or remitted to the state treasurer. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(5) (A) An amount equal to the product obtained by multiplying \$420 by the adjusted enrollment of the district shall be transferred to the general fund of the district. Such amount shall be expended in the following manner and order of priority:

(i) (a) An amount equal to 10% of the state financial aid of the district directly attributable to at-risk pupils under K.S.A. 72-6414, and amendments thereto, and K.S.A. 2011 Supp. 72-6455 and 72-6459, and amendments thereto, shall be expended for at-risk assistance or programs in the district; and

(b) an amount equal to 10% of the state financial aid of the district directly attributable to bilingual education under subsection (a)(1) of K.S.A. 72-6413, and amendments thereto, shall be expended for bilingual education programs in the district; and

(ii) the remainder of such moneys, if any, shall be expended for general operating expenses.

(B) For the purposes of determining the total amount of state moneys paid to school districts, all moneys transferred under this paragraph shall be deemed to be state moneys for educational and support services for school districts.

(k) Each year the state board of education shall determine the statewide average percentage of local ~~option~~ operating budgets legally adopted by school districts for the preceding school year.

(l) For the purposes of this section, the term "local operating budget" means "local

option budget" as that term was used prior to the amendment of this section by this act.

~~(h)~~(m) The provisions of this section shall be subject to the provisions of K.S.A. 2011 Supp. 72-6433d, and amendments thereto.

Sec. 33. K.S.A. 2011 Supp. 72-6433d is hereby amended to read as follows: 72-6433d. (a) (1) The provisions of this subsection shall apply in any school year in which the amount of base state aid per pupil is \$4,433 or less.

(2) The board of any school district may adopt a local ~~option-operating~~ option operating budget which does not exceed the local ~~option-operating~~ option operating budget calculated as if the base state aid per pupil was \$4,433 or which does not exceed an amount as authorized by K.S.A. 72-6433, and amendments thereto, whichever is greater.

(b) (1) The provisions of this subsection shall apply in any school year in which the amount appropriated for state aid for special education and related services is less than the amount appropriated for state aid for special education and related services in school year 2008-2009.

(2) The board of education of any school district may adopt a local ~~option-operating~~ option operating budget which does not exceed the local ~~option-operating~~ option operating budget calculated as if the district received state aid for special education and related services equal to the amount of state aid for special education and related services received in school year 2008-2009, or which does not exceed an amount as authorized by K.S.A. 72-6433, and amendments thereto, whichever is greater.

(c) The board of education of any school district may exercise the authority granted under subsection (a) or (b) or both subsections (a) and (b).

(d) To the extent that the provisions of K.S.A. 72-6433, and amendments thereto, conflict with this section, this section shall control.

(e) The provisions of this section shall expire on June 30, 2014.

Sec. 34. K.S.A. 2011 Supp. 72-6434 is hereby amended to read as follows: 72-6434. (a) In each school year, each district that has adopted a local ~~option-operating~~ option operating budget is eligible for entitlement to an amount of supplemental general state aid. Except as provided by K.S.A. 2011 Supp. 72-6434b, and amendments thereto, entitlement of a district to supplemental general state aid shall be determined by the state board as provided in this subsection. The state board shall:

(1) Determine the amount of the assessed valuation per pupil in the preceding school year of each district in the state;

(2) rank the districts from low to high on the basis of the amounts of assessed valuation per pupil determined under (1);

(3) identify the amount of the assessed valuation per pupil located at the 81.2 percentile of the amounts ranked under (2);

(4) divide the assessed valuation per pupil of the district in the preceding school year by the amount identified under (3);

(5) subtract the ratio obtained under (4) from 1.0. If the resulting ratio equals or exceeds 1.0, the eligibility of the district for entitlement to supplemental general state aid shall lapse. If the resulting ratio is less than 1.0, the district is entitled to receive supplemental general state aid in an amount which shall be determined by the state board by multiplying the amount of the local ~~option-operating~~ option operating budget of the district by such ratio. The product is the amount of supplemental general state aid the district is entitled to receive for the school year.

(b) If the amount of appropriations for supplemental general state aid is less than

the amount each district is entitled to receive for the school year, the state board shall prorate the amount appropriated among the districts in proportion to the amount each district is entitled to receive.

(c) The state board shall prescribe the dates upon which the distribution of payments of supplemental general state aid to school districts shall be due. Payments of supplemental general state aid shall be distributed to districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the district. Upon receipt of the warrant, the treasurer of the district shall credit the amount thereof to the supplemental general fund of the district to be used for the purposes of such fund.

(d) If any amount of supplemental general state aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of supplemental general state aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

(e) (1) Except as provided by paragraph (2), moneys received as supplemental general state aid shall be used to meet the requirements under the school performance accreditation system adopted by the state board, to provide programs and services required by law and to improve student performance.

(2) Amounts of supplemental general state aid attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local ~~option~~ operating budget in excess of 25%.

(f) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental general state aid shall be deemed to be state moneys for educational and support services for school districts.

Sec. 35. K.S.A. 2011 Supp. 72-6435 is hereby amended to read as follows: 72-6435. (a) In each school year, the board of every district ~~that has adopted a local option budget may shall~~ levy an *ad valorem* tax on the taxable tangible property of the district for the purpose of: (1) Financing that portion of the district's local ~~option-operating~~ budget which is not financed from any other source provided by law; (2) paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district; and (3) funding transfers to the capital improvement fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local ~~option-operating~~ budget in excess of 25% of state financial aid determined for the current school year.

(b) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the supplemental general fund of the district.

(c) No district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments to such sections.

Sec. 36. K.S.A. 2011 Supp. 72-6441 is hereby amended to read as follows: 72-6441. (a) (1) The board of any district to which the provisions of this subsection apply may levy an *ad valorem* tax on the taxable tangible property of the district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state court of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly attributable to assignment of ancillary school facilities weighting to enrollment of the district. The state court of tax appeals may authorize the district to make a levy which will produce an amount that is not greater than the difference between the amount of costs directly attributable to commencing operation of one or more new school facilities and the amount that is financed from any other source provided by law for such purpose, including any amount attributable to assignment of school facilities weighting to enrollment of the district for each school year in which the district is eligible for such weighting. If the district is not eligible, or will be ineligible, for school facilities weighting in any one or more years during the two-year period for which the district is authorized to levy a tax under this subsection, the state court of tax appeals may authorize the district to make a levy, in such year or years of ineligibility, which will produce an amount that is not greater than the actual amount of costs attributable to commencing operation of the facility or facilities.

(2) The state court of tax appeals shall certify to the state board of education the amount authorized to be produced by the levy of a tax under subsection (a).

(3) The state court of tax appeals may adopt rules and regulations necessary to effectuate the provisions of this subsection, including rules and regulations relating to the evidence required in support of a district's claim that the costs attributable to commencing operation of one or more new school facilities are in excess of the amount that is financed from any other source provided by law for such purpose.

(4) The provisions of this subsection apply to any district that: (A) Commenced operation of one or more new school facilities in the school year preceding the current school year or has commenced or will commence operation of one or more new school facilities in the current school year or any or all of the foregoing; (B) is authorized to adopt and has adopted a local ~~option-operating~~ budget which is at least equal to that amount required to qualify for school facilities weighting under K.S.A. 2011 Supp. 72-6415b, and amendments thereto; and (C) is experiencing extraordinary enrollment growth as determined by the state board of education.

(b) The board of any district that has levied an *ad valorem* tax on the taxable tangible property of the district each year for a period of two years under authority of subsection (a) may continue to levy such tax under authority of this subsection each year for an additional period of time not to exceed three years in an amount not to exceed the amount computed by the state board of education as provided in this subsection if the board of the district determines that the costs attributable to commencing operation of one or more new school facilities are significantly greater than the costs attributable to the operation of other school facilities in the district. The tax authorized under this subsection may be levied at a rate which will produce an amount that is not greater than the amount computed by the state board of education as provided in this subsection. In computing such amount, the state board shall: (1)

Determine the amount produced by the tax levied by the district under authority of subsection (a) in the second year for which such tax was levied and add to such amount the amount of general state aid directly attributable to school facilities weighting that was received by the district in the same year; (2) compute 75% of the amount of the sum obtained under (1), which computed amount is the amount the district may levy in the first year of the three-year period for which the district may levy a tax under authority of this subsection; (3) compute 50% of the amount of the sum obtained under (1), which computed amount is the amount the district may levy in the second year of the three-year period for which the district may levy a tax under authority of this subsection; and (4) compute 25% of the amount of the sum obtained under (1), which computed amount is the amount the district may levy in the third year of the three-year period for which the district may levy a tax under authority of this subsection.

In determining the amount produced by the tax levied by the district under authority of subsection (a), the state board shall include any moneys which have been apportioned to the ancillary facilities fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.

(c) The proceeds from the tax levied by a district under authority of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

Sec. 37. K.S.A. 72-6444 is hereby amended to read as follows: 72-6444. (a) In each school year, commencing with the 1997-98 school year, the state board shall compute a district prescribed percentage for the purpose of determining the amount of a local ~~option-operating~~ budget the board of a district to which the provisions of this section apply may adopt for the school year. The district prescribed percentage for each district to which the provisions of this section apply shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the actual amount per pupil for the preceding school year of the general fund budget and the local ~~option-operating~~ budget, if any, of each district;

(2) compute the average amount per pupil for the preceding school year of general fund budgets and local ~~option-operating~~ budgets of districts with 75-125 enrollment in such school year;

(3) compute the average amount per pupil for the preceding school year of general fund budgets and local ~~option-operating~~ budgets of districts with 200-399 enrollment in such school year;

(4) compute the average amount per pupil for the preceding school year of general fund budgets and local ~~option-operating~~ budgets of districts with 1,800 or over enrollment in such school year;

(5) compute an average amount per pupil for the preceding school year of general fund budgets and local ~~option-operating~~ budgets of districts with 100-299.9 enrollment in such school year by preparing a schedule based upon an accepted mathematical formula and deriving an amount for each such district from a linear transition between the average amount per pupil computed under (2) and the average amount per pupil computed under (3);

(6) compute an average amount per pupil for the preceding school year of general fund budgets and local ~~option-operating~~ budgets of districts with 300-1,799.9

enrollment in such school year by preparing a schedule based upon an accepted mathematical formula and deriving an amount for each such district from a linear transition between the average amount per pupil computed under (3) and the average amount per pupil computed under (4);

(7) for districts with 0-99.9 enrollment, compare the amount determined for the district under (1) to the average amount computed under (2). If the amount determined under (1) is equal to or greater than the average amount computed under (2), the provisions of this section do not apply to the district. If the amount determined under (1) is less than the average amount computed under (2), subtract the amount determined under (1) from the amount computed under (2), multiply the remainder by enrollment of the district in the preceding school year, and divide the product by the amount of state financial aid determined for the district in the preceding school year. The quotient is the district prescribed percentage of the district;

(8) for districts with 100-299.9 enrollment, compare the amount determined for the district under (1) to the average amount computed under (5). If the amount determined under (1) is equal to or greater than the average amount computed under (5), the provisions of this section do not apply to the district. If the amount determined under (1) is less than the average amount computed under (5), subtract the amount determined under (1) from the amount computed under (5), multiply the remainder by enrollment of the district in the preceding school year, and divide the product by the amount of state financial aid determined for the district in the preceding school year. The quotient is the district prescribed percentage of the district;

(9) for districts with 300-1,799.9 enrollment, compare the amount determined for the district under (1) to the average amount computed under (6). If the amount determined under (1) is equal to or greater than the average amount computed under (6), the provisions of this section do not apply to the district. If the amount determined under (1) is less than the average amount computed under (6), subtract the amount determined under (1) from the amount computed under (6), multiply the remainder by enrollment of the district in the preceding school year, and divide the product by the amount of state financial aid determined for the district in the preceding school year. The quotient is the district prescribed percentage of the district;

(10) for districts with 1,800 or over enrollment, compare the amount determined for the district under (1) to the average amount computed under (4). If the amount determined under (1) is equal to or greater than the average amount computed under (4), the provisions of this section do not apply to the district. If the amount determined under (1) is less than the average amount computed under (4), subtract the amount determined under (1) from the amount computed under (4), multiply the remainder by enrollment of the district in the preceding school year, and divide the product by the amount of state financial aid determined for the district in the preceding school year. The quotient is the district prescribed percentage of the district.

(b) The provisions of this section apply to any district that budgeted an amount per pupil in the preceding school year, as determined under provision (1) of subsection (a), that was less than the average amount per pupil of general fund budgets and local ~~option~~ operating budgets computed by the state board under whichever of the provisions (7) through (10) of subsection (a) is applicable to the district's enrollment group.

(c) For the purposes of this section, the term "local operating budget" means "local option budget" as that term was used prior to the amendment of this section by this act.

Sec. 38. K.S.A. 2011 Supp. 72-6449 is hereby amended to read as follows: 72-6449. (a) As used in this section, "school district" or "district" means a school district authorized to make a levy under this section.

(b) The board of education of any district may levy a tax on the taxable tangible property within the district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost of living weighting to the enrollment of the district. There is hereby established in every school district a fund which shall be called the cost of living fund, which fund shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost of living fund. The proceeds from the tax levied by a district credited to the cost of living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(c) The state board of education shall determine whether a district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under (1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) (A) subtract the amount determined under (2) from the amount determined under (3). If the amount determined for the district under this paragraph is a positive number and the district is authorized to adopt and has adopted a local ~~option-operating~~ budget in an amount equal to at least 31% of the state financial aid for the school district, the district qualifies for assignment of cost of living weighting and may levy a tax on the taxable tangible property of the district for the purpose of financing the costs that are attributable directly to assignment of the cost of living weighting to enrollment of the district; or

(B) as an alternative to the authority provided in paragraph (4)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to levy such tax at a rate necessary to generate revenue in the same amount generated in school year 2006-2007 if: (i) The amount determined under paragraph (4)(A) is a positive number; and (ii) the district continues to adopt a local ~~option-operating~~ budget in an amount equal to the state prescribed percentage in effect in school year 2006-2007.

(d) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,
 _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an *ad valorem* tax in an amount not to exceed the amount necessary to finance the costs

attributable directly to the assignment of cost of living weighting to the enrollment of the district. The *ad valorem* tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of

Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the *ad valorem* tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision are in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast are not in favor of the resolution, the resolution shall be deemed of no effect and no like resolution shall be adopted by the board within the nine months following such election.

(e) In determining the amount produced by the tax levied by the district under the authority of this section, the state board shall include any moneys which have been apportioned to the cost of living fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.

Sec. 39. K.S.A. 2011 Supp. 72-6451 is hereby amended to read as follows: 72-6451. (a) As used in this section:

(1) "School district" or "district" means a school district which: (A) Has a declining enrollment; and (B) has adopted a local ~~option-operating~~ budget in an amount which equals at least 31% of the state financial aid for the school district at the time the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(2) "Declining enrollment" means an enrollment which has declined in amount from that of the preceding school year.

(b) (1) (A) A school district may levy an *ad valorem* tax on the taxable tangible property of the district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state court of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly attributable to assignment of declining enrollment weighting to enrollment of the district. The state court of tax appeals may authorize the district to make a levy which

will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the district. Such amount shall not exceed 5% of the general fund budget of the district in the school year in which the district applies to the state court of tax appeals for authority to make a levy pursuant to this section.

(B) As an alternative to the authority provided in paragraph (1)(A), if a district was authorized to make a levy pursuant to this section in school year 2006-2007, such district shall remain authorized to make a levy at a rate necessary to generate revenue in the same amount that was generated in school year 2007-2008 if the district adopts a local ~~option-operating~~ budget in an amount equal to the state prescribed percentage in effect in school year 2006-2007.

(2) The state court of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state court of tax appeals pursuant to this section.

(c) A district may levy the tax authorized pursuant to this section for a period of time not to exceed two years unless authority to make such levy is renewed by the state court of tax appeals. The state court of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(d) The state board shall provide to the state court of tax appeals such school data and information requested by the state court of tax appeals and any other information deemed necessary by the state board.

(e) There is hereby established in every district a fund which shall be called the declining enrollment fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a district under authority of this section shall be credited to the declining enrollment fund of the district. The proceeds from the tax levied by a district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(f) In determining the amount produced by the tax levied by the district under authority of this section, the state board shall include any moneys which have been apportioned to the declining enrollment fund of the district from taxes levied under the provisions of K.S.A. 79-5101 *et seq.* and 79-5118 *et seq.*, and amendments thereto.

Sec. 40. K.S.A. 2011 Supp. 72-6456 is hereby amended to read as follows: 72-6456. (a) For the purpose of determining the general fund budget of a school district, weightings shall not be assigned to a pupil enrolled in and attending KAMS.

(b) Moneys in the general fund which are attributable to a pupil enrolled in and attending KAMS shall not be included in the computation of the local ~~option-operating~~ budget of the school district.

(c) The provisions of this section shall be part of and supplemental to the school district finance and quality performance act.

New Sec. 41. (a) In any action challenging the adequacy of the state's provision for finance of the educational interests of the state, no less than 65% of all state moneys appropriated, distributed or otherwise provided by or through the state to school districts shall be deemed by the court to have been expended in the classroom or for instruction, as defined in subsection (d) of K.S.A. 2011 Supp. 72-64c01, and

amendments thereto. Such moneys shall be deemed by the court to have been first applied to pay the costs related to providing the areas of instruction required by K.S.A. 72-1101, 72-1103 and 72-1117, and amendments thereto, and for the course included in the precollege curriculum prescribed by the state board of regents pursuant to K.S.A. 76-717, and amendments thereto.

(b) Any party challenging the adequacy of the state's provision for finance of the educational interests of the state shall have the burden, at all times, to prove that state moneys appropriated, distributed or otherwise provided by the state to a school district or districts, which is the subject of such action, were not sufficient to fund the costs of the areas of instruction required by K.S.A. 72-1101, 72-1103 and 72-1117, and amendments thereto, and for courses included in the precollege curriculum prescribed by the state board of regents pursuant to K.S.A. 76-717, and amendments thereto.

(c) For purposes of determining the adequacy of the state's provision for finance of the educational interests of the state, educational programs that school districts are required to provide pursuant to federal law shall not be included.

(d) The provisions of this section shall apply to all litigation pending on the effective date of this act, and any lawsuit filed on or after the effective date of this act.

Sec. 42. K.S.A. 2011 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) All technical college boards shall establish and maintain a plan for a governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2011 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) On the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges. Any amendments to the plan shall be submitted to the state board of regents for approval.

(c) In addition to such other powers expressly granted by law and subject to the provisions of subsection (b), the governing board shall have the power to:

- (1) Determine the career technical and general education courses of instruction that will comprise the associate of applied science degree programs of the college;
- (2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;

(3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a career technical education program of the college;

(4) appoint teaching staff and fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet licensure requirements greater than those required in the state educational institutions;

(5) have custody of, and be responsible for, the property of the college and be responsible for the operation, management and control of the college;

(6) select a chairperson and such other officers as it deems desirable, from its membership;

(7) sue and be sued;

(8) appoint and fix the compensation and term of office of a president or chief administrative officer of the college;

(9) fix and determine, within state adopted standards, all other employees' qualifications, duties, compensation and all other items and conditions of employment;

(10) enter into contracts;

(11) accept any gifts, grants or donations;

(12) acquire and dispose of real or personal property;

(13) enter into lease agreements as lessor of any property owned or controlled by the college;

(14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are necessary for the administration and operation of the college or for the conduct of business of the governing board;

(15) contract with one or more agencies, either public or private, whether located within or outside the territory of the college or whether located within or outside the state of Kansas, for the conduct by any such agency of academic or career technical education for students of the college and to provide for the payment to any such agency for the contracted educational services from any funds or moneys of the college, including funds or moneys received from student tuition and fees;

(16) appoint as its resident agent for the purpose of service of process, either the president of the technical college or the chairperson of the governing board, or both;

(17) take any other action, not inconsistent with any law or any rules and regulations of the state board of regents, which is necessary or incidental to the establishment, operation and maintenance of the college;

(18) issue bonds for capital improvement projects, enter into bond covenants and take such ancillary action as the governing board approves, relating thereto, except that such bonds shall not be secured by a pledge of any property tax revenues of the technical college;

(19) enter into agreements with counties relating to funding for capital improvement projects at technical colleges; ~~and~~

(20) fix different rates per hour of tuition, fees and charges for the different postsecondary programs administered by such board; ~~and~~

(21) to acquire by lease-purchase any property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for technical college purposes. The

term of any lease-purchase agreement entered into under authority of this subsection may be for not to exceed 10 years. Such lease-purchase agreement may provide for annual or other payment of rent or rental fees and may obligate the technical college to payment of maintenance or other expenses. Any lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease-purchase agreement and assignment thereof are subject to change or termination by the legislature.

New Sec. 43. If any provision of this act, or the application thereof, is held invalid or unconstitutional, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. ";

And by renumbering sections accordingly;

Also on page 12, in line 12, by striking all after the first "K.S.A."; in line 13, by striking "6413" and inserting:

"72-1412, 72-4417, 72-4419, 72-6444, 72-9004, 72-9005 and K.S.A. 2011 Supp. 72-978, 72-4470a, 72-5413, 72-6409, 72-6410, 72-6413, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6455, 72-6456, 72-6459, 72-8814, 72-9002, 72-9003, 72-9608 and 75-2319"

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3 and inserting:

"education; amending K.S.A. 72-1412, 72-4417, 72-4419, 72-6444, 72-9004, 72-9005 and K.S.A. 2011 Supp. 71-201, 72-978, 72-4470a, 72-5413, 72-6409, 72-6410, 72-6413, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6455, 72-6456, 72-8814, 72-9002, 72-9003, 72-9608 and 75-2319 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-6459.";

And the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HR 6026**, be amended on page 2, in line 9, following "undertake" by inserting ", within the limits of existing appropriations,;" in line 28, by striking "and" and inserting:

"5. Whether there might be unintended consequences of promoting the concept of Tobacco Harm Reduction as one component of a comprehensive tobacco control strategy which might include, among other unintended consequences, the increased use of smokeless tobacco products by underage persons; and"; and the resolution be adopted as amended.

Committee on **Taxation** recommends **SB 59** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 59," as follows:

"HOUSE Substitute for SENATE BILL NO. 59

By Committee on Taxation

"AN ACT concerning property taxation; relating to exemptions; commercial and industrial machinery and equipment; classification; amending K.S.A. 2011 Supp. 79-223 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 59** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 163, by Representative Pottorff, congratulating Saint Stephen's Episcopal Church in recognition of their 50th anniversary of the founding of the church;

Request No. 164, by Representative Pottorff, congratulating Lieb Langston on his 100th birthday;

Request No. 165, by Representative Pottorff, congratulating Jo Zakas in recognition of the 40th Anniversary of Clifton Square;

Request No. 166, by Representative Mast, congratulating KVOE-AM in recognition for the 2012 National Association of Broadcasters Crystal Radio Award;

Request No. 167, by Representative Mast, congratulating Anthony Zieammermann in recognition for Statewide Winner of the League of Kansas Municipalities If I Were Mayor Essay Contest;

Request No. 168, by Representative O'Brien, congratulating Verness and Margaret Heinen on their 50th Wedding Anniversary May 5, 2012;

Request No. 169, by Representative O'Brien, congratulating the Tonganoxie Chieftain Wrestling Team on winning the 2012 Kaw Valley League Championship with a score of 193;

Request No. 170, by Representative Vickrey, congratulating Ryan Christopher Urban on achieving the rank of Eagle Scout;

Request No. 171, by Representative Henderson, congratulating Justice Deon Turner, first Baptist Church of Quindaro, on graduating from Rockhurst High School;

Request No. 172, by Representative C. Holmes, in memory of Cynthia Sallaska for her public service as Seward County Register of Deeds and her brave battle with cancer;

Request No. 173, by Representative C. Holmes, in memory of Robert D. "Bob" Carlile for his community leadership and success in business serving as "Liberal Bee Jays" general manager and for being inducted into the Baseball Hall of Fame;

Request No. 174, by Representative C. Holmes, congratulating Pam Perkins for being selected as the first Kansan to receive the Association of Community College Trustees National Award for Professional Board Staff;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfried, the committee report was adopted.

MESSAGE FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2730** and has appointed Senators Taddiken, Teichman and Francisco as second conferees on the part of the Senate.

REPORT ON ENGROSSED BILLS

HB 2793 reported correctly engrossed May 4, 2012.

HB 2471 reported correctly re-engrossed May 4, 2012.

2454

MAY 4, 2012

REPORT ON ENROLLED BILLS

S Sub for HB 2454; HB 2631, HB 2655, HB 2777 reported correctly enrolled, properly signed and presented to the Governor on May 4, 2012.

On motion of Rep. Siegfroid, the House adjourned until 10:00 a.m., Monday, May 7, 2012.

Journal of the House

SIXTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 7, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 119 members present.

Rep. LeDoux was excused on verified illness.

Reps. Hill, Huebert, McCray-Miller, Schwab and Winn were excused on excused absence by the Speaker.

Present later: Reps. Hill and Huebert.

Prayer by Chaplain Brubaker:

Lord,
We pause for a moment and
invite Your Spirit to permeate this room.
I pray for these leaders the following:
Help them to love truth,
gain wisdom,
display courage,
maintain impartiality,
speak tactfully,
remain patient,
live with integrity,
be sharp with insight
and quick to seek discernment.
All these things are those for which
Your Word encourages leaders to seek and to be.
And in the midst of all this,
may they not forget humor,
for Your Word assures us that
“a cheerful disposition is good for *our* health;
gloom and doom leave you bone-tired.”
Please be with Representative Schwab as he
is at the hospital with his son.
May it not be too serious
and we ask for healing of his body.
In Your Son’s Name I pray, Amen.
(Proverbs 17:22, *The Message*)

The Pledge of Allegiance was led by Rep. Roth.

MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits the veto message from the Governor on **SB 353**, An Act concerning barbers; relating to the powers of the board; fees; licensure; amending K.S.A. 65-1819 and 65-1820a and K.S.A. 2011 Supp. 65-1817 and 65-1824 and repealing the existing sections,

which was received on April 4, 2012, and was read before the Senate on April 25, 2012.

Message from the Governor

Recent indicators show the economic recovery in Kansas is underway, yet remains fragile. As I set forth in my Roadmap for Kansas, now is the time for government to get out of the way by reducing spending, cutting taxes, and returning to its core functions. Only when the state's economic role is limited to maintaining a fair and safe playing field for all can the resourcefulness, ingenuity, and hard work of Kansans in every field of labor be fully realized. Now is not the time to add layer after layer of regulatory fees, burdensome certification requirements, barriers to entry, and bureaucracy to our economy.

While **SB 353** deals only with one business, it is a clear example of the steady growth of state power over economic activity. By vetoing **SB 353**, I intend not only to prevent this small increase of government interference in the marketplace, but also to send the clear message that Kansas will not accept unnecessary government burdens on the free market. It is time to take the parking brake off of the dynamic economic engine that is the Kansas spirit, which if unleashed, will generate growth and prosperity for all.

Therefore, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **SB 353**.

SAM BROWNBACK
Governor

Dated: April 4, 2012

There being no motion to reconsider the veto on **SB 353**, the President ruled the veto sustained.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2792, AN ACT reconciling amendments to certain statutes and making certain technical changes related thereto; amending K.S.A. 2011 Supp. 16-1602, 21-5428, 21-6811, 22-3437, 22-4705, 44-703, 44-706, 59-2132, 65-516, as amended by section 5 of 2012 House Bill No. 2660, 65-4915, as amended by section 51 of 2012 Substitute for Senate Bill No. 397, 65-6805, as amended by section 54 of 2012 Substitute for Senate Bill No. 397, 68-1051, as amended by section 2 of 2012 House Bill No. 2441, 72-1397, 72-5445, 74-5602, as amended by section 2 of 2012 House Bill No. 2496, 75-2935, as amended by section 115 of 2012 Senate Bill No. 316, 75-37,121, as amended by section 117 of 2012 Senate Bill No. 316, 76-11a13, 77-421, as amended by section 38 of 2012 House Bill No. 2535, 79-201a, as amended by section 1 of 2012 House Bill No. 2769 and 79-3234, as amended by section 127 of 2012 Senate Bill No. 316 and repealing the

existing sections; also repealing K.S.A. 2011 Supp. 21-5428a, 21-6811a, 22-3437b, 22-4705a, 32-1049a, as amended by section 64 of 2012 Senate Bill No. 316, 44-703a, 44-706b, 65-1436a, 65-4915, as amended by section 1 of 2012 House Bill No. 2428, 65-6805, as amended by section 28 of 2012 House Bill No. 2416, 68-1051, as amended by section 2 of 2012 House Bill No. 2509, 72-5445a, 74-4911f, as amended by section 95 of 2012 Senate Bill No. 316, 74-5089, as amended by section 6 of 2012 Senate Bill No. 417, 74-5602, as amended by section 105 of 2012 Senate Bill No. 316, 74-5602, as amended by section 2 of 2012 Senate Bill No. 424, 75-2935, as amended by section 28 of 2012 Senate Bill No. 417, 75-3372, 75-37,121, as amended by section 33 of 2012 House Bill No. 2416, 77-415, as amended by section 1 of 2012 Senate Bill No. 252, 77-421, as amended by section 123 of 2012 Senate Bill No. 316, 77-421, as amended by section 55 of 2012 House Bill No. 2416, 77-421, as amended by section 2 of 2012 Senate Bill No. 252, 79-201a, as amended by section 124 of 2012 Senate Bill No. 316 and 79-3234b, as amended by section 128 of 2012 Senate Bill No. 316, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Hill, Huebert, Kelley, LeDoux, McCray-Miller, Schwab, Weber, Winn.

The bill passed.

HB 2793, AN ACT concerning the Kansas credit services organization act; relating to the exemptions therefrom; amending K.S.A. 50-1116 and 50-1117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 13; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Hermanson, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr,

Lane, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlin, DeGraaf, Feuerborn, D. Gatewood, S. Gatewood, Grosserode, Henry, Hildabrand, Mah, Phelps, Suellentrop, Wetta.

Present but not voting: None.

Absent or not voting: Hill, Huebert, Kelley, LeDoux, McCray-Miller, Schwab, Weber, Winn.

The bill passed, as amended.

H Sub for SB 313, AN ACT concerning abortion; relating to restrictions on late term abortions; relating to the woman's-right-to-know act; creating the no taxpayer funding for abortion act; amending K.S.A. 60-1901 and K.S.A. 2011 Supp. 40-2246, 65-6701, 65-6703, 65-6709, 65-6710, 76-3308, 79-32,117, 79-32,138, 79-32,182b, 79-32,195, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 79-3606g, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 31; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Landwehr, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, Worley.

Nays: Ballard, Bollier, Burroughs, Carlin, Colloton, Davis, Dillmore, Finney, Flaharty, Frownfelter, S. Gatewood, Gordon, Henderson, Hineman, Kuether, Lane, Loganbill, Mah, Moxley, Pottorff, Roth, Ruiz, Slattery, Sloan, Spalding, Tietze, Trimmer, Victors, Ward, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hill, Huebert, LeDoux, McCray-Miller, Schwab, Winn.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote No on **H Sub for SB 313**. While I consider myself a pro-life legislator and usually vote accordingly, I cannot support **H Sub for SB 313**. I believe any legislation that allows physicians to not fully and accurately inform their patients to be the worst health policy imaginable. — KATHY WOLFE MOORE

MR. SPEAKER: I cannot in good conscience vote for a bill that forbids teaching doctors potentially life-saving procedures and forbids hospitals from allowing them, that puts

employers at risk of losing tax coverage when they provide health insurance, that creates a wrongful death suit for the death of a fertilized egg before it attaches to the uterus and becomes a fetus. As a pro life woman, I cannot vote for a bill that will sacrifice the life of any woman or deny her information to save her life. This legislation is a very dangerous precedent of state control. I vote no on **H Sub for SB 313**. – PAT COLLOTON

MR. SPEAKER: Laws that are directed specifically at the women of Kansas have dominated the legislature in recent years. It is tragic that as some have rushed through the passage of these laws, they have failed to properly vet them through the entire committee process. Women must have accurate medical information as well as true informed consent. **H Sub for SB 313** purposely creates confusion about risks associated with medical treatments; it requires limited informed consent information that is one-sided; it allows healthcare providers to withhold information from patients, which is unethical. Therefore, I vote no. – BARBARA BOLLIER, KAY WOLF, SHERYL SPALDING, JO ANN POTTORFF, LOUIS RUIZ, ANNIE TIETZE, ANNIE KUETHER, GAIL FINNEY, TOM BURROUGHS, ED TRIMMER, BARBARA BALLARD, PAUL DAVIS, SYDNEY CARLIN, CHARLES B. ROTH

MR. SPEAKER: If the Governor wonders why our children leave the state, he has only to look at this bill. What woman would stay in a state that thinks she is a stupid cow, incapable of handling the truth about her pregnancy? Where we promote junk science? Where her medical records could be searched for tax violations? Where it is legal for your doctor to lie? Tax breaks don't cause abortions. Unwanted pregnancies cause abortions. Could we work on that? If this bill becomes law, our children will have reason to move away and never come back. Stop this war on women. I vote no on **H Sub for SB 313**. – ANN E. MAH, NILE DILLMORE

MR. SPEAKER: I vote yes on **H Sub for SB 313**. Make no mistake...Abortion is not about health, it is solely about death, the death of a living, human, person that is innocent of any crime.

The act of abortion comes to kill, to thief, and to destroy. We bring this legislation in hopes that the child growing in the mother's womb might have life, and have it to the full. – STEVEN R. BRUNK, S. MIKE KIEGERL, TERRILOIS GREGORY, JIM HOWELL, MARIO GOICO, JOSEPH SCAPA, TOM ARPKE

MR. SPEAKER: I vote no on **H Sub for SB 313** not because of it's pro life features, but because of 20 pages of tax law changes that complicate everyone's personal and business life with little or no effect. We can do better. – TOM MOXLEY, DON HINEMAN

SB 314, AN ACT concerning the department of wildlife, parks and tourism; relating to licenses; related to hunting; amending K.S.A. 2011 Supp. 32-906, 32-919, 32-932, 32-937, 32-988 and 32-1002 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 64; Nays 55; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brookens, Bruchman, Brunk, Carlson, Cassidy, Collins, Crum, Denning, Garber, Goico, Goodman, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hineman, Hoffman, C. Holmes, M. Holmes,

Howell, Johnson, Kelly, Kerschen, Kiegerl, KleeB, Knox, Mast, Meigs, Mesa, Montgomery, O'Neal, Osterman, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, Wetta, B. Wolf, Worley.

Nays: Ballard, Bethell, Bollier, Brown, Burgess, Burroughs, Calloway, Carlin, Colloton, Davis, DeGraaf, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grant, Grosserode, Henderson, Henry, Hildabrand, Kelley, Kinzer, Kuether, Landwehr, Lane, Loganbill, Mah, McLeland, Meier, Moxley, O'Brien, O'Hara, Otto, Patton, Pauls, Peck, Peterson, Phelps, Rhoades, Ruiz, Slattery, Tietze, Trimmer, Victors, Ward, Williams, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Hill, Huebert, LeDoux, McCray-Miller, Schwab, Winn.

The bill passed, as amended.

SB 356, AN ACT concerning amusement rides; relating to regulation of home-owned amusement rides; amending K.S.A. 2011 Supp. 44-1601 , 44-1613 and 44-1614 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 5; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Kuether, Meier, Otto, Ward.

Present but not voting: None.

Absent or not voting: Hill, Huebert, LeDoux, McCray-Miller, Schwab, Winn.

The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Landwehr, the House concurred in Senate amendments to **S Sub for S Sub for HB 2249**, AN ACT concerning confidentiality of health information; amending K.S.A. 2011 Supp. 65-6828 and repealing the existing section.

On roll call, the vote was: Yeas 108; Nays 11; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty,

Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs, Carlin, Dillmore, Feuerborn, S. Gatewood, Gordon, Lane, Mah, O'Hara, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Huebert, LeDoux, McCray-Miller, Schwab, Tietze, Winn.

On motion of Rep. Kinzer, the House concurred in Senate amendments to **HB 2562**, AN ACT concerning public health; relating to emergency care or assistance at the scene of an emergency or accident; concerning certain contracts by the board of healing arts with persons licensed to practice the healing arts; amending K.S.A. 2011 Supp. 65-2878 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Gregory, Tyson.

Present but not voting: None.

Absent or not voting: Huebert, LeDoux, McCray-Miller, Schwab, Winn.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to SB 79 submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for SB 79, as follows:

On page 1, in line 9, after "constitution" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and

any right of privacy or marriage"; in line 21, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage"; in line 31, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage";

On page 2, in line 4, after "constitutions" by inserting ", including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage"; in line 11, after "dispute," by inserting "including, but not limited to, equal protection, due process, free exercise of religion, freedom of speech or press, and any right of privacy or marriage,";

Also on page 2, following line 25, by inserting:

"Sec. 8. Without prejudice to any legal right, this act shall not apply to a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity that contracts to subject itself to foreign law or courts in a jurisdiction other than this state or the United States.";

And by renumbering the remaining section accordingly;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **H Sub for SB 79** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Huebert, LeDoux, McCray-Miller, Schwab, Winn.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced the appointment of Rep. Smith on Committee on Redistricting to replace Rep. Schwab for today, May 7, 2012.

On motion of Rep. Siegfried, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2117**, and has appointed Senators Donovan, Apple and Holland as second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for Sub HB 2333** and has appointed Senators Morris, King and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2117; HB 2729**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Powell, the House nonconcurrent in Senate amendments to **HB 2729** and asked for a conference.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2117** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

On motion of Rep. Carlson the conference committee report on **S Sub for HB 2117** to agree to disagree, was adopted.

Roll call was demanded.

On roll call, the vote was: Yeas 68; Nays 48; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Nays: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, Kuether, Loganbill, Mah, Meier, Moxley, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Slatery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Kelley, Lane, LeDoux, McCray-Miller, Patton, Peterson, Schwab, Shultz, Winn.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as second conferees on the part of the House.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Tuesday, May 8, 2012.

Journal of the House

SIXTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 8, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 121 members present.

Rep. LeDoux was excused on verified illness.

Reps. Billinger, Seiwert and Weber were excused on excused absence by the Speaker.

Present later: Reps. Seiwert and Weber.

Prayer by Chaplain Brubaker:

Creator God,
 Your Word admonishes us to...
 "trust in the Lord with all *our* heart
 and lean not on *our* own understanding:
 in all *our* ways acknowledge him,
 and he will make *our* paths straight."
 Help us to trust you from the bottom of our hearts—
 and not try to figure out everything on our own.
 Help us to listen for Your voice in everything we do today...
 for You are the only one who can keep us on track.
 May we not assume we know it all –
 but run to You for knowledge and wisdom.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Williams.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for Sub HB 2004; HB 2534, HB 2684; Sub HB 2768; H Sub for SB 17; H Sub for Sub SB 39; SB 83.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking lines 9 through 33;

By striking all on pages 2 through 5 and inserting:

"Section 1. K.S.A. 60-3306 is hereby amended to read as follows: 60-3306. (a) A product seller shall not be subject to liability in a product liability claim arising from an alleged defect in a product, if the product seller establishes that: ~~(a)~~ (1) Such seller had no knowledge of the defect;

~~(b)~~ (2) such seller in the performance of any duties the seller performed, or was required to perform, could not have discovered the defect while exercising reasonable care;

~~(c)~~ (3) such seller was not a manufacturer of the defective product or product component;

~~(d)~~ (4) the manufacturer of the defective product or product component is subject to service of process either under the laws of the state of Kansas or the domicile of the person making the product liability claim; and

~~(e)~~ (5) any judgment against the manufacturer obtained by the person making the product liability claim would be reasonably certain of being satisfied.

(b) A product seller that is a retail seller of used products shall not be subject to liability in a product liability claim arising from an alleged defect in a used product sold by the retail seller, if the retail seller establishes that:

(1) Such seller is exempt from federal income taxation pursuant to section 501(c)(3) of the internal revenue code of 1986;

(2) the product liability claim is for strict liability in tort; or

(3)(A) Such seller resold the product after the product was used by a consumer or other product user;

(B) the product was sold in substantially the same condition as it was when it was acquired for resale;

(C) the manufacturer of the defective product or product component is subject to service of process either under the laws of the state of Kansas or the domicile of the person making the product liability claim; and

(D) any judgment against the manufacturer obtained by the person making the product liability claim would be reasonably certain of being satisfied.

Sec. 2. K.S.A. 60-3306 is hereby repealed.

Sec. 3. The act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 6 and inserting:

"AN ACT concerning the Kansas product liability act; relating to a product liability claim arising from an alleged defect in a used product; amending K.S.A. 60-3306 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

LANCE KINZER
JOE PATTON
JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer the conference committee report on **SB 83** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Seiwert, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for Substitute HB 2004** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 24, by striking "or by any third-party contributor"; by striking all in line 26; in line 27, by striking "contributor are in an amount equal to or greater than" and inserting "account owner contributes at least";

And your committee on conference recommends the adoption of this report.

JEAN KURTIS SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

CLAY AURAND

STEVE HUEBERT

JIM WARD

Conferees on part of House

On motion of Rep. Aurand, the conference committee report on **S Sub for Sub HB 2004** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2684** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 33 and inserting:

"Section 1. (a) The secretary of corrections shall establish the justice reinvestment working group.

(b) The working group shall consist of the following members:

(1) One senator appointed by the president of the senate;

(2) one representative appointed by the speaker of the house of representatives;

(3) one senator appointed by the minority leader of the senate;

(4) one representative appointed by the minority leader of the house of representatives;

(5) one member appointed by the governor;

(6) one member appointed by the attorney general;

(7) one member appointed by the chief justice of the supreme court;

(8) one member shall represent court services officers, appointed by the chief justice of the supreme court;

(9) the secretary of corrections;

(10) the director of victims services of the department of corrections;

(11) one member shall represent community corrections, appointed by the secretary

of corrections;

(12) one member of the prisoner review board, appointed by the secretary of corrections;

(13) one member shall be a prosecuting attorney, appointed by the Kansas county and district attorneys association;

(14) one member shall represent public defenders, appointed by the executive director of the state board of indigents' defense services;

(15) one member shall represent mental health providers, appointed by the secretary for aging and disability services;

(16) one member shall be a sheriff, appointed by the Kansas sheriff's association; and

(17) one member shall be a law enforcement officer, appointed by the Kansas association of chiefs of police.

(c) The members appointed by the president of the senate and the speaker of the house of representatives shall serve as co-chairs of the working group. The secretary of corrections shall serve as vice-chairperson. The working group shall meet on call of either co-chair or on the request of nine members of the working group. Nine members of the working group shall constitute a quorum. All actions of the working group shall be taken by a majority of all members of the working group.

(d) The working group shall undertake a study of the data-driven, fiscally responsible policies and practices that can increase public safety and reduce recidivism and spending on corrections in Kansas.

(e) On or before January 1, 2013, the working group shall submit a report of the working group's activities and recommendations regarding increased public safety and reducing recidivism and spending on corrections in Kansas to the secretary of the senate and the chief clerk of the house of representatives.

(f) The members of the working group attending meetings of such working group, or attending a subcommittee meeting thereof authorized by such working group, shall receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto, upon vouchers approved by the secretary of corrections or a person or persons designated by the secretary.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 3 through 6 and inserting "establishing the justice reinvestment working group.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF R. KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Colloton, the conference committee report on **HB 2684** was adopted.

On roll call, the vote was: Yeas 115; Nays 6; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Collins, O'Hara, Patton, Schwab, Ward.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Seiwert, Weber.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Brookens, the House concurred in Senate amendments to **HB 2534**, AN ACT concerning children and minors; relating to reporting of disappearance or death of a child; relating to interference with law enforcement; amending K.S.A. 2011 Supp. 21-5904 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattey, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Seiwert, Weber.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Carlson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Carlson, Committee of the Whole report, as follows, was adopted:

Recommended that **Sub HB 2768** be passed over and retain a place on the calendar (see further action, Afternoon Session).

Committee report recommending a substitute bill to **H Sub for SB 17** be adopted; also, on motion of Rep. Rubin, be amended on page 7, following line 28, by inserting:

"(v) (1) During the period beginning June 15, 2012, and ending December 31, 2012, the assessment of evidence of United States citizenship as required by this section shall be satisfied by receipt of any qualifying document by the office of the secretary of state or a county election office and the applicant shall be deemed to have provided satisfactory evidence of United States citizenship.

(2) During the period beginning June 15, 2012, and ending December 31, 2012, the assessment of evidence of United States citizenship as required by this section shall be satisfied by receipt of any qualifying document by the state election board, the division of vehicles of the department of revenue or a voter registration agency, as defined by 42 U.S.C. § 1973gg-1. Receipt of any qualifying document by the state election board, the division of vehicles of the department of revenue or a voter registration agency shall be promptly reported to the appropriate county election officer or the secretary of state, and the applicant shall be deemed to have provided satisfactory evidence of United States citizenship. All qualifying documents received by the state election board, the division of vehicles of the department of revenue or a voter registration agency shall be transmitted to the appropriate county election officer or the secretary of state no later than December 31, 2012.

(3) The provisions of this subsection shall expire on January 1, 2013."; and **H Sub for SB 17** be passed as amended.

Committee report recommending a substitute bill to **H Sub for Sub SB 39** be adopted; also, on motion of Rep. S. Gatewood to amend, Rep. Rhoades requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. S. Gatewood to amend **H Sub for Sub SB 39**, on page 4, following line 24, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 75-5206 is hereby amended to read as follows: 75-5206. (a) Except as provided in subsection (c) ~~or~~ (d) or (e), to carry out the purposes of this act, the secretary shall have authority to order the housing and confinement of any person sentenced to the secretary's custody to any institution or facility herein placed under the secretary's supervision and management or to any contract facility, including a conservation camp.

(b) All institutions of the department of corrections shall be institutions for the incarceration of felons sentenced to the custody of the secretary of corrections. The secretary may enter into interagency agreements authorizing the use of department of corrections' institutions for the temporary housing of pretrial detainees, misdemeanor offenders and other persons confined in local detention facilities or jails when the local facility cannot be used to house those persons due to a natural disaster or other emergency. Authorization shall not be given for the temporary housing of juveniles under 16 years of age.

(c) No person under 16 years of age sentenced to the secretary's custody shall be

placed in the Lansing correctional facility or the Hutchinson correctional facility.

(d) The secretary shall have the authority to order the placement of a juvenile, as described in K.S.A. 2011 Supp. 38-2366, and amendments thereto, in a juvenile correctional facility. Such juvenile shall be allowed to be in a juvenile correctional facility only until such juvenile reaches the age of 23 years.

(e) Except as provided in K.S.A. 75-5217, and amendments thereto, no person sentenced to the secretary's custody for an off-grid crime or a nondrug severity level 1 through 4 crime shall be placed in a county jail.";

On page 4, in line 25, by striking "75-6609 is" and inserting "75-5206 and 75-6609 are"

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "real estate; concerning the proceeds from the sale of"; in line 2, by striking "surplus real estate; relating to the selling of land" and inserting "state agencies and officers; relating to the secretary of corrections; selling of land; placement of inmates; relating to proceeds from the sale of surplus real estate"; in line 3, after "Supp." by inserting "75-5206 and"; also in line 3, by striking "section" and inserting "sections";

Roll call was demanded.

On roll call, the vote was: Yeas 41; Nays 79; Present but not voting: 0; Absent or not voting: 5.

Yeas: Ballard, Bethell, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grant, Henderson, Henry, Huebert, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Otto, Patton, Pauls, Peterson, Phelps, Ruiz, Schroeder, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Billinger, M. Holmes, LeDoux, Sloan, Weber.

The motion of Rep. S. Gatewood did not prevail.

Also, on motion of Rep. Trimmer to amend **H Sub for Sub SB 39**, Rep. Johnson requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **H Sub for Sub SB 39** be passed.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced Rep. Smith would replace Rep. Weber on Committee on Redistricting for today, May 8, 2012.

On motion of Rep. Siegfried, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE GOVERNOR

May 7, 2012

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Order No 12-07 for your information.

EXECUTIVE ORDER No. 12-07
Concerning Declaration of Drought Watch
or Warning and Instituting Appropriate Response

SAM BROWBACK
Governor

The above Executive Order is on file and open for inspection in the office of the Chief Clerk.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Carlson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted:

On motion of Rep. Siegfried, pursuant to House Rule 2311, that House Rule 1704 be suspended for the purpose of allowing the following to speak more than twice on **Sub HB 2768**: Reps. Rhoades, Feuerborn and Kelley.

Recommended that committee report recommending a substitute bill to **Sub HB 2768** be adopted; also, on motion of Rep. Rhoades, be amended on page 40, in line 38, by adding \$3,512 to the dollar amount and adjusting the dollar amount in line 38 accordingly;

On page 49, in line 22, by adding \$3,400 to the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On page 108, in line 8, by adding \$1,276,677 to the dollar amount and by adjusting the dollar amount in line 8 accordingly;

On page 109, in line 18, by adding \$6,300,000 to the dollar amount and by adjusting the dollar amount in line 18 accordingly;

On page 119, in line 6, by subtracting \$271,751 from the dollar amount and by adjusting the dollar amount in line 6 accordingly; in line 27, by adding \$150 to the dollar amount and by adjusting the dollar amount in line 27 accordingly;

On page 131, in line 40, by adding \$14,855 to the dollar amount and by adjusting the dollar amount in line 40 accordingly;

On page 142, in line 5, by subtracting \$20,900 from the dollar amount and by

adjusting the dollar amount in line 5 accordingly;

On page 169, in line 18, by adding \$1,663 to the dollar amount and by adjusting the dollar amount in line 18 accordingly;

On page 175, in line 41, by adding \$182,000 to the dollar amount and by adjusting the dollar amount in line 41 accordingly;

On page 187, in line 19, by striking \$187,095.50 and inserting \$186,981;

On page 218, in line 28, by adding \$315,178 to the dollar amount and by adjusting the dollar amount in line 28 accordingly;

On page 225, following line 40, by inserting the following:

"Rehabilitation and repair for state facilities \$153,737
Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.";

Also, roll call was demanded on motion of Rep. Aurand, **Sub HB 2768** be amended on page 136, following line 13, by inserting:

"General state aid special revenue fund \$25,000,000
Supplemental general state aid special revenue fund \$25,000,000"

On page 139, following line 20, by inserting:

"(h) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000,000 from the state highway fund of the department of transportation to the general state aid special revenue fund of the department of education.

(i) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,000,000 from the state highway fund of the department of transportation to the supplemental general state aid special revenue fund of the department of education.";

And by redesignating remaining subsections accordingly;

On roll call, the vote was: Yeas 99; Nays 17; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Frownfelner, Garber, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Lane, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlin, Collins, Davis, Donohoe, Flaharty, D. Gatewood, S. Gatewood, Gordon, Henry, Kinzer, Kuether, Mah, McCray-Miller, O'Hara, Shultz, Smith.

Present but not voting: None.

Absent or not voting: Billinger, Kelley, Landwehr, LeDoux, Loganbill, Peterson, Schroeder, Sloan, Weber.

The motion of Rep. Aurand prevailed.

Also, roll call was demanded on motion of Rep. Ward to amend **Sub for HB 2768**,

on page 1, in line 14, by striking "and"; also in line 14, following "2015" by inserting "and June 30, 2016,";

On page 225, following line 35:

"Sec. 121. Except as otherwise provided in this section, during fiscal years 2013, 2014, 2015, and 2016, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys from the state general fund or from any special revenue fund or funds authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based services waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal years 2013, 2014, 2015, and 2016.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "and"; also in line 2, following "2015," by inserting "and June 30, 2016";

On roll call, the vote was: Yeas 54; Nays 65; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Bethell, Bollier, Brookens, Bruchman, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grant, Henderson, Henry, Hildabrand, Hill, Howell, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Osterman, Pauls, Phelps, Phillips, Pottorff, Roth, Ruiz, Schroeder, Seiwert, Shultz, Slattery, Sloan, Spalding, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Boman, Bowers, Brown, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Otto, Patton, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Siegfried, Smith, Suellentrop, Swanson, Vickrey, B. Wolf, K. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, Kelley, Landwehr, LeDoux, Peterson, Weber.

The motion of Rep. Ward did not prevail.

Also, on motion of Rep. Gregory, **Sub HB 2768** be amended on page 39, in line 18, by adding \$611,000 to the dollar amount and by adjusting the dollar amount in line 18 accordingly;

On page 129, following line 32, by inserting the following:

"Communities in schools.....\$611,000

Provided, That the secretary for children and families is hereby authorized to make expenditures from the communities in schools account to schools in accordance with guidelines established by the secretary for children and families.";

Also, on motion of Rep. Brown to amend **Sub HB 2768**, Rep. Hineman requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. Brown to amend **Sub HB 2768** on

page 225, following line 35, by inserting:

"Sec. 121. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend moneys appropriated from the state general fund for such state agency as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, to enter into a contract in an amount greater than \$50,000 with any business entity without receiving a sworn affidavit signed before a notary and by provision of documentation from such business entity, affirming enrollment and good faith participation in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working for such business entity in connection with the contracted services: *Provided*, That, during the fiscal year ending June 30, 2013, such business entity shall be responsible for verifying and providing documentation to such state agency that a subcontractor of any tier is enrolled and participates in good faith in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working in connection with the contracted services.

(b) In addition to the other purposes for which expenditures may be made by any state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or any other appropriation act of the 2012 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to enroll and participate, in good faith, in the e-verify program with respect to all new employees eligible for verification under the e-verify program, working for such state agencies.

(c) As used in this section:

(1) "Business entity" means any business that employs one or more employees.

(2) "E-verify program" means a program operated by the United States department of homeland security pursuant to the illegal immigration reform and immigrant responsibility act of 1996, public law 104-208, or a successor electronic federal work authorization program.

(3) "Good faith" means, with honesty and intent, to fully comply with all applicable laws, rules and regulations and standards. A business entity shall not be deemed to have violated the requirements of good faith based on inadvertent errors committed by subordinate personnel and unknown to the principals of the business entity when made.";

And by renumbering sections accordingly;

Roll call was demanded.

On roll call, the vote was: Yeas 84; Nays 35; Present but not voting: 0; Absent or not voting: 6.

Yeas: Arpke, Bollier, Boman, Brown, Bruchman, Brunk, Burroughs, Calloway, Carlin, Carlson, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson,

Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Lane, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Siegfried, Slattery, Smith, Spalding, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Ward, Wetta, Williams, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Aurand, Ballard, Bethell, Bowers, Brookens, Burgess, Collins, Colloton, Flaharty, Gonzalez, Henderson, Hill, Hineman, Johnson, Kelly, Kerschen, Kuether, Loganbill, Moxley, O'Neal, Phelps, Phillips, Pottorff, Roth, Ruiz, Schroeder, Schwartz, Seiwert, Shultz, Sloan, Swanson, Victors, Winn, B. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, Cassidy, Goico, LeDoux, Peterson, Weber.

The motion of Rep. Brown prevailed.

Also, on motion of Rep. Huebert to amend **Sub HB 2768**, the motion did not prevail.

Also, on motion of Rep. Mast, **Sub HB 2768** be amended on page 131, after line 8 by inserting:

"Provided, That in addition to the other purposes for which expenditures may be made by the above agency from the temporary assistance for needy families emergency funds federal fund for fiscal year 2013, expenditures may be made by the above agency from the temporary assistance for needy families emergency funds federal fund for fiscal year 2013 for direct grants to organizations that provide safety planning, counseling, therapy, and mentoring services to victims of domestic violence and sexual assault: Provided further, That expenditures from this fund for fiscal year 2013 for such purpose shall not exceed \$2,000,000."

Also, on motion of Rep. Rubin to amend **Sub HB 2768**, Rep. Schwab requested a ruling on the pay go rule. The Rules Chair ruled the amendment out of order under the provisions of House Rule 2110.

Also, roll call was demanded on motion of Rep. Spalding to amend **Sub HB 2768** on page 68, by striking all in lines 22 through 43;

On page 69, by striking all in lines 1 through 29;

On roll call, the vote was: Yeas 84; Nays 35; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Ballard, Bethell, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Cassidy, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelner, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grant, Gregory, Grosserode, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, Otto, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Ruiz, Ryckman, Schroeder, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Boman, Brown, Brunk, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Garber, Goodman, Grange, Hayzlett, Hedke, Howell, Kelley, Kinzer, Mast, McLeland, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Rhoades, Rubin, Scapa, Schwab, Shultz, Smith, Suellentrop.

Present but not voting: None.

Absent or not voting: Billinger, Huebert, LeDoux, Peterson, Roth, Weber.

The motion of Rep. Spalding prevailed.

Also, on motion of Rep. DeGraaf to amend **Sub HB 2768**, Rep. Worley requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane.

The question reverted back to the motion of Rep. DeGraaf and **Sub HB 2768** be amended on page 79, following line 35, by inserting the following:

"(t) (1) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the department of administration as authorized by this or any other appropriation act of the 2013 regular session of the legislature, expenditures shall be made by the secretary of administration for fiscal year 2013 to create and maintain or contract with a public or private entity to create and maintain a program that lists debtors against the state which may be accessed by any lottery gaming facility manager, facility owner licensee and racetrack gaming facility manager, for the purpose of setting off any prize or winning from parimutuel wagering: *Provided*, That the secretary of administration, in cooperation with the Kansas lottery and Kansas racing and gaming commission, shall ensure to provide a secure and efficient electronic system to disclose information on any debt against the state to the lottery gaming facility manager, facility owner licensee and racetrack gaming facility manager: *Provided further*, That any person utilizing such debt setoff program shall be immune from civil, criminal or administrative liability for performing or failing to perform any acts provided in this subsection.

(2) As used in this subsection:

(A) "Lottery gaming facility manager" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(B) "facility owner licensee" has the meaning ascribed thereto in K.S.A. 74-8802, and amendments thereto;

(C) "racetrack gaming facility manager" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(D) "prize" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(E) "parimutuel wagering" has the meaning ascribed thereto in K.S.A. 74-8802, and amendments thereto.";

On page 133, following line 30, by inserting the following:

"(k) (1) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2013 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to create and maintain or contract with a public or private entity to create and maintain a registry that lists child support debtors which may be accessed by any lottery gaming facility manager, facility owner licensee and racetrack gaming facility manager, for the purpose of setting off any prize or winning from parimutuel wagering: *Provided*, That the secretary for children and families, in cooperation with

the Kansas lottery and Kansas racing and gaming commission, shall ensure to provide a secure and efficient electronic system to disclose information on child support debtors, determining the appropriate threshold amount of setoff of past due child support against the prizes and winnings of any debtor including a title IV-D cases: *Provided further*, That any person utilizing the child support debtor registry shall be immune from civil, criminal or administrative liability for performing or failing to perform any acts provided in this subsection.

(2) As used in this subsection:

(A) "Lottery gaming facility manager" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(B) "facility owner licensee" has the meaning ascribed thereto in K.S.A. 74-8802, and amendments thereto;

(C) "racetrack gaming facility manager" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(D) "prize" has the meaning ascribed thereto in K.S.A. 74-8702, and amendments thereto;

(E) "parimutuel wagering" has the meaning ascribed thereto in K.S.A. 74-8802, and amendments thereto; and

(F) "title IV-D" means part D of the title IV of the federal social security act, 42 U.S.C. § 651 *et seq.*;

Also, roll call was demanded on motion of Rep. Tietze to amend **Sub HB 2768** on page 39, in line 18, by adding \$5,020,327 to the dollar amount and by adjusting the dollar amount in line 18 accordingly; also on page 39, by striking all in lines 20 through 22;

On page 225, following line 35, by inserting the following:

"Sec. 121 (a) In addition to the other purposes for which expenditures may be made by state agencies from one or more accounts of the state general fund and one or more special revenue funds in accordance with appropriations for the fiscal year ending June 30, 2013, made by this or other appropriation act of the 2012 regular session of the legislature, for additional amounts of compensation for state officers and employees in accordance with the following:

(1) (A) The governor is hereby authorized and directed to modify the pay plan for fiscal year 2013 in accordance with this subsection (a)(1)(A) and to adopt such pay plan as so modified. The existing pay plan for fiscal year 2013 shall be modified to provide for a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection (a)(1)(A) shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first biweekly payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending June 30, 2013. The pay plan adopted by the governor under this subsection for fiscal year 2013 shall be subject to modification and approval as provided under K.S.A. 75-2938, and amendments thereto, and to any enactment of the legislature applicable thereto.

(B) The governor is hereby authorized to modify or authorize the modification of the salaries of state officers and employees who are in the unclassified service under the Kansas civil service act and whose salaries are subject to approval by the governor

under K.S.A. 75-2935b or 75-2935c, and amendments thereto, to provide for base salary increases, to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending on June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided*, That, for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year 2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees.

(C) Each elected state official of the executive branch of state government, including the state board of education, and the board of directors of the Kansas technology enterprise corporation, the members of Kansas, Inc., the state board of regents and the board of trustees of the Kansas public employees retirement system, in each such official, corporation or board's discretion, are hereby authorized to modify or to authorize the modification of the salaries of the state officers and employees of such official, corporation or board, who are in the unclassified service under the Kansas civil service act and whose salaries are not subject to approval by the governor under K.S.A. 75-2935b, and amendments thereto, to provide for base salary increases to be effective on the first day of the first payroll period which commences on or after June 10, 2012, and which is chargeable to the fiscal year ending June 30, 2013, for which the base salary increase is authorized in accordance with this subsection (a)(1)(B), and to be distributed from a salary increase pool: *Provided further*; That, for each biweekly payroll period commencing on or after June 10, 2012, which is chargeable to fiscal year 2013, the average of such increases shall not exceed an additional 1.0% of the base salaries of such officers and employees of such official, corporation or board.

(b) (1) There is hereby appropriated for the state finance council from the state general fund for the fiscal year ending June 30, 2013, the sum of \$8,952,978 to be used for the purpose of paying the proportionate share of the cost to the state general fund of: (A) The pay rate increases which are provided for by modification of the pay plan for state officers and employees in the classified service under the Kansas civil service act as provided in subsection (a)(1)(A), by providing a base pay rate increase of 1.0% in the pay rates of such pay plan, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013; and (B) the salary increases for state officers and employees in the unclassified service under the Kansas civil service act which are provided for in subsection (a)(1)(B) and subsection (a)(1)(C) for biweekly pay periods which are chargeable to the fiscal year ending June 30, 2013.

(2) To pay the proportionate share of the cost to the state general fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(1) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state general fund appropriations for the fiscal year ending June 30, 2013.

(3) (A) There is hereby appropriated for the state finance council from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the sum of \$43,567 to be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increases specified in subsection (b).

(B) To pay the proportionate share of the cost to the state economic development initiatives fund of each state agency for the salary increases specified in subsection (b) (1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(3)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state economic development initiatives fund appropriations for the fiscal year ending June 30, 2013.

(4) (A) There is hereby appropriated for the state finance council from the state water plan fund for the fiscal year ending June 30, 2013, the sum of \$12,767 to be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the state water plan fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by state water plan fund appropriations for the fiscal year ending June 30, 2013.

(5) (A) There is hereby appropriated for the state finance council from the children's initiatives fund for the fiscal year ending June 30, 2013, the sum of \$785 to be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increases specified in subsection (b)(1).

(B) To pay the proportionate share of the cost to the children's initiatives fund of each state agency for the salary increases specified in subsection (b)(1), including associated employer contributions, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the appropriation under subsection (b)(4)(A) by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with such approval, to the proper accounts created by children's initiatives fund appropriations for the fiscal year ending June 30, 2013.

(6) Upon recommendation of the director of the budget, the state finance council,

acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases specified in subsection (b)(1) for the fiscal year ending June 30, 2013.

(7) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases specified in subsection (b)(1), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

(8)

LEGISLATIVE COORDINATING COUNCIL

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....	\$4,473
Legislative research department – operations.....	\$32,574
Office of revisor of statutes – operations.....	\$22,610

(9)

LEGISLATURE

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....	\$38,982
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(10)

DIVISION OF POST AUDIT

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....	\$17,456
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(11)

JUDICIAL BRANCH

(A) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....	\$951,254
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(B) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-3120l, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the judicial

branch from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge for fiscal year 2013 that is greater than a 1.0% increase in any such salary or other compensation: *Provided*, That, during the fiscal year ending June 30, 2013, no provision of this section or any other statute shall be deemed to constitute or to otherwise authorize increases in the monthly rates of compensation from step movements of the pay plan for persons in the classified service under the Kansas civil service act under K.S.A. 75-3120l, and amendments thereto, that would provide an aggregate percentage increase of compensation for fiscal year 2013 that is greater than 1.0% in the salary or other compensation of the chief justice of the supreme court, any other justice of the supreme court, the chief judge of the court of appeals, any other judge of the court of appeals, any district judge or any district magistrate judge, and no such salary or other compensation shall be increased for fiscal year 2013 based upon the provisions of this section or any other statute by any aggregate percentage increase of compensation greater than 1.0%: *Provided further*, That, notwithstanding any provision of K.S.A. 75-3120l, and amendments thereto, to the contrary, the provisions of K.S.A. 75-3120l, and amendments thereto, shall be construed to provide an aggregate percentage increase of compensation equal to 1.0% for fiscal year 2013 for the chief justice of the supreme court, each other justice of the supreme court, the chief judge of the court of appeals, each other judge of the court of appeals, each district judge and each district magistrate judge, which shall be effective on the first day of the first biweekly payroll period which is chargeable to the fiscal year ending June 30, 2013.

(c) (1) Notwithstanding any provision of K.S.A. 75-3111a, and amendments thereto, to the contrary, the provisions of this section shall not authorize or provide any salary increase during the fiscal year ending June 30, 2013, for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or any member of the legislature, or for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute.

(2) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75- 3111a, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or the legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for the governor, lieutenant governor, secretary of state, state treasurer, commissioner of insurance, attorney general, or any member of the legislature, for fiscal year 2013.

(3) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75- 3111a, and amendments thereto, this section or any other statute to the contrary, no expenditures shall be made from any moneys appropriated for any state agency named in this or any other appropriation act of the 2012 regular session of the

legislature from the state general fund or any special revenue fund for fiscal year 2013 by this or any other appropriation act of the 2012 regular session of the legislature to pay any amount of salary or other compensation to provide for any increase in salary or other compensation for any member of any state board, commission, council or committee receiving *per diem* compensation as provided by statute, for fiscal year 2013."

And renumbering remaining sections accordingly;

On roll call, the vote was: Yeas 55; Nays 63; Present but not voting: 0; Absent or not voting: 7.

Yeas: Ballard, Bethell, Bollier, Bruchman, Burgess, Burroughs, Calloway, Carlin, Cassidy, Colloton, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goodman, Gordon, Grant, Henderson, Henry, Hill, M. Holmes, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Proehl, Ruiz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Boman, Bowers, Brookens, Brown, Brunk, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Gonzalez, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kinzer, KleeB, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf, Worley.

Present but not voting: None.

Absent or not voting: Billinger, Kiegerl, Landwehr, LeDoux, Peterson, Roth, Weber.

The motion of Rep. Tietze did not prevail.

Also, on motion of Rep. Kuether to amend **Sub HB 2768**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Mah to amend **Sub HB 2768** on page 39, in line 18, by adding \$3,534,972 to the dollar amount and by adjusting the dollar amount in line18 accordingly; also on page 39, by striking all in lines 20 through 22;

On page 225, following line 35, by inserting the following:

"Sec. 121.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Undermarket pay adjustment fund \$8,534,972

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2013 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments

thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with each such approval, to the proper accounts created by the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund appropriations for fiscal year 2013 for which such transfers are so approved under this section.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for each fiscal year designated in subsection (a), for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the fiscal year ending June 30, 2013.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a), and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.";

And renumbering remaining sections accordingly;

On roll call, the vote was: Yeas 58; Nays 59; Present but not voting: 0; Absent or not voting: 8.

Yeas: Ballard, Bethell, Bollier, Brookens, Burgess, Burroughs, Carlin, Cassidy, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goodman, Gordon, Grange, Grant, Henderson, Henry, Hill, M. Holmes, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, O'Brien, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Prescott, Proehl, Ruiz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Boman, Bowers, Brown, Brunk, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Hara, O'Neal, Peck, Powell, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, Bruchman, Landwehr, LeDoux, Peterson, Roth, Shultz, Weber.

The motion of Rep. Mah did not prevail.

Also, on motion of Rep. Shultz to amend **Sub HB 2768**, Rep. Landwehr requested a

ruling on the pay go rule. The Rules Vice Chair ruled the amendment did not violate the provisions of House Rule 2110 and therefore was in order.

The question reverted back to the motion of Rep. Shultz, and **Sub HB 2768** be amended on page 133, following line 30, by inserting the following:

"(k) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2013 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to create a program to pay for tuition and fees charged by any private college in Kansas for any eligible foster child in the same manner as in the provisions of the Kansas foster child educational assistance act, K.S.A. 75-53,111 through 75-53,120, and amendments thereto.";

Also, roll call was demanded on motion of Rep. Wolfe Moore to amend **Sub HB 2768** on page 39, in line 21, by subtracting \$1,800,000 from the dollar amount and by adjusting the dollar amount in line 21 accordingly;

On page 118, in line 22, by adding \$1,800,000 to the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On roll call, the vote was: Yeas 90; Nays 31; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Ballard, Bethell, Bollier, Boman, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Cassidy, Colloton, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelly, Kiegerl, Kleeb, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Prescott, Proehl, Roth, Ruiz, Scapa, Seiwert, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Bowers, Brown, Carlson, Collins, Crum, DeGraaf, Donohoe, Grosserode, Hayzlett, M. Holmes, Kelley, Kerschen, Kinzer, Knox, McLeland, O'Hara, O'Neal, Powell, Rhoades, Rubin, Ryckman, Schroeder, Schwab, Schwartz, Siegfried, Smith, Suellentrop, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Peterson, Weber.

The motion of Rep. Wolfe Moore prevailed.

Also, roll call was demanded on motion of Rep. Finney to amend **Sub HB 2768** on page 31, in line 35, by subtracting \$433,000 from the dollar amount and by adjusting the dollar amount in line 35 accordingly;

On page 116, in line 21, by adding \$433,000 to the dollar amount and by adjusting the dollar amount in line 21 accordingly;

On roll call, the vote was: Yeas 80; Nays 40; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alford, Ballard, Bethell, Bollier, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Colloton, Davis, Denning, Feuerborn, Finney, Flaharty,

Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grant, Gregory, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, Mesa, Moxley, O'Brien, Otto, Pauls, Phelps, Pottorff, Proehl, Roth, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Boman, Brown, Brunk, Carlson, Cassidy, Collins, Crum, DeGraaf, Donohoe, Fawcett, Garber, Gordon, Grange, Grosserode, Hayzlett, Hedke, Hildabrand, Kinzer, Kleeb, Mast, McLeland, Montgomery, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Schwab, Siegfried, Smith, Suellentrop, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, Dillmore, LeDoux, Peterson, Weber.

The motion of Rep. Finney prevailed.

Also, on motion of Rep. Ballard to amend **Sub HB 2768**, the motion did not prevail. Also, on further motion of Rep. Ballard to amend, the motion was withdrawn. Also, on motion of Rep. Carlin to amend, the motion did not prevail. Also, on further motion of Rep. Ballard to amend, the motion did not prevail. Also, on motion of Rep. Frownfelter to amend, the motion did not prevail.

Also, on motion of Rep. Henry to amend **Sub HB 2768**, Rep. Rhoades requested the question be divided. Rep. Rhoades subsequently withdrew his request. The question reverted back to the motion of Rep. Henry and **Sub HB 2768** be amended on page 39, in line 18, by adding \$881,920 to the dollar amount and by adjusting the dollar amount in line 18 accordingly; also on page 39, by striking all in lines 20 through 22; on page 116, in line 2, by adding \$881,920 to the dollar amount and by adjusting the dollar amount in line 2 accordingly; on page 118, in line 22, by adding \$2,500,000 to the dollar amount and by adjusting the dollar amount in line 22 accordingly; on page 120, in line 32, by adding \$2,500,000 to the dollar amount and by adjusting the dollar amount in line 32 accordingly;

Also, roll call was demanded on motion of Rep Feuerborn to amend **Sub HB 2768**, on page 23, by striking all in lines 21 through 24;

On roll call, the vote was: Yeas 51; Nays 68; Present but not voting: 0; Absent or not voting: 6.

Yeas: Ballard, Bethell, Bollier, Burroughs, Calloway, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grant, Henderson, Henry, Hill, Hineman, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Phelps, Pottorff, Roth, Ruiz, Schroeder, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith,

Suellentrop, Vickrey, B. Wolf.

Present but not voting: None.

Absent or not voting: Billinger, Kiegerl, LeDoux, Peterson, Slattery, Weber.

The motion of Rep. Feuerborn did not prevail.

Also, on motion of Rep. Rubin to amend **Sub HB 2768**, the motion did not prevail.

Also, on motion of Rep. Trimmer to amend **Sub HB 2768**, Rep. Rhoades requested a ruling on the pay go rule. The Rules Chair ruled the amendment out of order under the provisions of House Rule 2110. Rep. Trimmer challenged the ruling, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

Also, on motion of Rep. Brunk, **Sub HB 2768** be amended on page 81, in line 2, before the period, by inserting the following:

“: *And provided further*, That the secretary of revenue is authorized and directed to expend no more than \$100,000 from the division of vehicles operating fund for background checks for alcoholic beverage control”;

Also, on motion of Rep. Fawcett to amend **Sub HB 2768**, Rep. Rhoades requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. D. Gatewood to amend **Sub HB 2768**, Rep. Rhoades requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane. Rep. D. Gatewood challenged the ruling, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

Also, on further motion of Rep. D. Gatewood to amend **Sub HB 2768**, the motion did not prevail.

Also, on motion of Rep. Suellentrop to amend **Sub HB 2768**, Rep. Ruiz requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. Rep. Suellentrop subsequently withdrew the motion to amend; and the substitute bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried pursuant to House Rule 2311, **Sub HB 2768** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2768, AN ACT making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-3425i, 79-34,156, 79-34,171 and 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 44; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Arpke, Aurand, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Fawcett, Garber, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett,

Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, B. Wolf, K. Wolf.

Nays: Ballard, Bethell, Bollier, Burroughs, Carlin, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Grant, Henderson, Henry, Hill, Hineman, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, O'Hara, Pauls, Phelps, Roth, Ruiz, Sloan, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Billinger, LeDoux, Peterson, Slattery.

The substitute bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HR 6032** be adopted.

Committee on **Redistricting** recommends **SB 102** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 102," as follows:

"House Substitute for SENATE BILL NO. 102

By Committee on Redistricting

"AN ACT concerning reapportionment; relating to state legislative districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857, 4-3,858, 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525."; and the substitute bill be passed.

(H Sub for SB 102 was thereupon introduced and read by title.)

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 129**.

The Senate adopts the Conference Committee report on **S Sub for HB 2077**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**HOUSE RESOLUTION No. HR 6033—**

By Representatives Phillips, Carlin, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kersch, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley

A RESOLUTION congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year and and the Woody Hayes National Coach of the Year.

WHEREAS, Kansas State University head coach Bill Snyder was named the 2011 Associated Press Big 12 Coach of the Year and the Woody Hayes National Coach of the Year after leading the Wildcats to a 10-2 record in the regular season and a number 8 ranking in the final regular season BCS standings, and helping the Wildcats earn their first Cotton Bowl invitation since 2001; and

WHEREAS, Coach Snyder was selected on 16 of the 17 ballots turned in by media members who regularly cover the league; and

WHEREAS, For his efforts in 2011, Coach Snyder was named the Woody Hayes National Coach of the Year, as well as picking up national coaching honors from Sporting News, Rivals.com and CBSSports.com, and the Big 12 Coach of the Year by the Associated Press and Big 12 Coaches; and

WHEREAS, Coach Snyder is currently the 11th-winningest active coach among Football Bowl Subdivision (FBS) schools; and

WHEREAS, Coach Snyder was named the 32nd head football coach at Kansas State University on November 30, 1988, and again as the 34th coach on November 24, 2008. He has amassed a 159-82-1 record during his 20-year tenure with the Wildcats, including an 89-64-1 mark in Big 8 and Big 12 games, and currently ranks fourth among active coaches with 150 or more wins at FBS schools since 1990; and

WHEREAS, As a two-time national Coach of the Year selection and three-time Big 12 Coach of the Year pick, Coach Snyder's 159 victories are more than triple the second place coach on K-State's all-time coaching victories list. He has led the program to 13

bowl games, including 11 straight from 1993-2003 and back-to-back appearances in 2010 and 2011; and

WHEREAS, Coach Snyder remains involved with the university community and is currently a member of the Missouri and Kansas Halls of Fame, the K-State and Austin College Athletics Halls of Fame while also being inducted into the Holiday Bowl Hall of Fame. The long-time mentor also is the chairman of the Kansas Mentors Council and the Kansas Leadership Council, a member of the board of directors for Kansas Leadership Center, the board of trustees for the Kansas Sports Hall of Fame, the KSU Leadership Studies Advancement Council, the Terry C. Johnson Cancer Research Center Advisory Council, the Manhattan Community Foundation Board of Trustees, the KSU Foundation Board of Trustees and is the honorary co-chairman of the Kansas Masonic Partnership for Life: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year. We thank him for his hard work and dedication to Kansas State University, and we extend our best wishes for his continued success and happiness in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 10 enrolled copies of this resolution to Representative Phillips.

REPORT ON ENGROSSED BILLS

S Sub for Sub HB 2004; S Sub for S Sub for HB 2249; HB 2684 reported correctly engrossed May 8, 2012.

HB 2534, HB 2562 reported correctly re-engrossed May 8, 2012.

REPORT ON ENROLLED BILLS

HB 2471 reported correctly enrolled, properly signed and presented to the Governor on May 8, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Wednesday, May 9, 2012.

Journal of the House

SIXTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 9, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

Rep. LeDoux was excused on verified illness.

Prayer by Chaplain Brubaker:

Lord,
 Some may have come in today
 feeling a bit jet lagged from being here late last night.
 Some may be feeling like the saying that,
 “a conclusion is the place where you get tired of thinking,”
 and wonder if in exhaustion, we made wise decisions.
 Today, help each one to seek to live, speak, act and decide
 for that which brings honor to You.
 I pray for our Speaker as he leads this House
 and builds bridges between the two bodies of the legislature
 I pray for the Majority and Minority leaders
 as they work together to bring about consensus between the two parties.
 I pray for the Caucus Chairs as they work with their party members—
 leading to know when to stand firm, and when to reconsider.
 Help them all to remember the “Big Four”—
 communication – cooperation – consideration – collaboration.
 And, Lord, we thank you today for the best college
 football coach ever – and, yes, I am biased!
 Seriously, we do appreciate and recognize all that
 Coach Snyder has done not only for the school,
 but for the state of Kansas.
 In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Prescott.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Carlin, **HR 6033**, A resolution congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year and the Woody Hayes National Coach of the Year, was adopted.

Reps. Phillips and Carlin welcomed Coach Snyder and his wife, Sharon, to the House. The members of the House recognized their accomplishments and service to the city of Manhattan with a standing ovation.

MESSAGES FROM THE GOVERNOR

HB 2631, HB 2777 approved on May 8, 2012.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Meier are spread upon the Journal:

As Mother's Day is right around the corner, we are all thinking about the strong women in our lives and Kansas is known for its strong women. If you ever take the time for a walk on the Capitol grounds, you will notice the statue dedicated to the pioneer women of Kansas on the South lawn. We honor our strong women in Kansas.

Before you, stands a group of young strong women, strong pioneer women - literally. This is the Leavenworth Highschool Pioneers Girls Powerlifting Team.

On March 31st, these Lady Pioneers made the trip to Oklahoma City, Oklahoma, to compete in the Natural Athlete Strength Association Highschool Nationals. There, they earned multiple team and individual awards and brought 3 National titles home to Kansas. They earned the National Title for Power Press Combined, the National Title for Junior/Senior Unequipped Powerlift, and the National Title for Unequipped Powerlift Combined.

The Lady Pioneers showed their dominance of the meet by having 13 compete on that day, with 12 lifters on the team doing no worse than second place in any event they entered.

I would like to introduce the individual National Champions:

Freshman Hannah Overbey earned her national champion title in Unequipped Powerlifting for the Freshman/Sophomore division and she earned the Overall Best Lifter award as the pound-for-pound strongest in Powerlifting. Hannah also took 2nd in Power Press to her teammate Maggie Lee.

Maggie Lee earned her title as National Champion for the second year in a row, in both the power clean/ bench press event and Unequipped Powerlifting for the Junior/Senior division. Maggie was the Overall Best Lifter in Power Press and earned new American records in every lift. The highlight of the day for Lee was the fact that she had been trailing a girl from Oklahoma the entire day in Powerlifting, and came back to win during the deadlift by setting an American record of 269.5 lbs.

Senior Lauren Patelli lead the way as the National Champion in Power Press, an event contested by all high school weight classes for females, recording an American record of 143 lbs clean and a 99 lb bench press. Lauren also took 2nd in the Junior/Senior Powerlifting division to her team mate and first year contestant, Tabitha Larkin.

Tabitha Larkin took 3rd in Power Press in addition to her National Champion title in the Junior/Senior Powerlifting division. During Tabitha's road to her national title, she posted an American record squat of 214.5 lbs.

Senior Janay Johnson finished her Leavenworth Powerlifting career in style by

repeating as national champion in two events. Janay hoisted the American records in every lift, and was the Overall Best Lifter for Power Press and Outstanding Lifter for all weight classes and age groups, earning her a very unique championship belt that was almost too big for her to wear. The two awards make for seven total best lifter trophies earned by Janay during the 2012 calendar year, a feat that would be difficult to match by any competitive lifter of any age.

Junior Lacie Thornton earned her National Champion titles for a second year, in both Power Press and Powerlifting. Lacie also broke an American record in Power Press on the strength of her personal record of a 143 lb clean and a 115.5 lb bench press.

Hunter Anne Postier came in 2nd place for unequipped Powerlifting and earned her National Champion titles in both the Power Press and Bench Press by setting American records in the clean at 176 lbs and the bench press at 137.5 lbs.

Emily Ruble took home her National Champion titles in both the Clean and Bench Press for the second year in a row.

Accompanying the team today is their proud coach, Daniel Capps, and the highschool's Athletic Director, Shawn Terry.

I am sure you all agree, this is quite an impressive group of young ladies. I have a certificate for the team that reads:

Fellow Representatives, please help me to recognize our strong women of Kansas and Leavenworth Highschool: the Leavenworth Highschool Pioneer Girls Powerlifting Team.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 17, AN ACT concerning elections; relating to voter identification requirements; amending K.S.A. 2011 Supp. 25-2309, 25-2908 and 65-2418 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 72; Nays 51; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf.

Nays: Ballard, Bethell, Bollier, Brookens, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hineman, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Pauls, Peterson, Phelps, Phillips, Pottorff, Roth, Ruiz, Schroeder, Schwartz, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Hill, LeDoux.

The substitute bill passed, as amended.

H Sub for Sub SB 39, AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate; relating to the selling of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: D. Gatewood.

Present but not voting: None.

Absent or not voting: Hill, LeDoux.

The substitute bill passed.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 59; H Sub for SB 102; SB 207; SB 300; Sub SB 393; S Sub for HB 2313; HB 2324; S Sub for HB 2596; HB 2757**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Colloton, the House concurred in Senate amendments to **HB 2324**, AN ACT concerning cigarettes and tobacco products; relating to electronic cigarettes; amending K.S.A. 2011 Supp. 79-3301, 79-3303 and 79-3321 and repealing the existing sections.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, McCray-Miller, Meier, Meigs, Mesa, Montgomery, Moxley,

O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlson, Gordon, Lane, Mast, McLeland, Schwab, Siegfried, Tyson.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 207** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 5, before "Section" by inserting "New"; following line 15, by inserting:

"New Sec. 2. (a) The governing body of any school district the boundaries of which are located entirely within the corporate limits of a city that previously established a recreation system and the governing body of the city within which such school district is located may take joint action to initiate the conversion of the existing recreation system to a city recreation system by adopting a joint ordinance and resolution proposing to change the existing school district recreation system to a city recreation system and authorizing publication of a notice of intent to do so. Such notice of intent shall be published once each week for two consecutive weeks in the official city newspaper, and, if within 30 days after the last publication of the notice a petition is signed by at least 5% of the qualified voters of the city requesting an election upon such question, an election shall be called and held thereon. Such election shall be called and held in the manner provided by the general bond law, and the cost of the election shall be borne equally by the school district and the city. If no protest or no sufficient protest is filed or if an election is held and the proposition carries by a majority of those voting thereon, the governing bodies of the school district and the city, by joint resolution and ordinance, may provide for the conversion of the existing school district recreation system to a city recreation system effective as of the next succeeding July 1 subsequent to the publication of the notice of intent or the date of the election, whichever is later.

(b) The mill levy rate for a recreation commission established under subsection (a) shall not be subject to the one mill levy limitation for a new recreation system established in K.S.A. 12-1927, and amendments thereto.

(c) Any conversion of an existing school district recreation system to a city recreation system under subsection (a) shall provide for the transfer of the assets of the existing school district recreation system to the city recreation system, the assumption of the liabilities of the existing school district recreation system by the city recreation system and thereafter maintain and continue the operations of the city recreation system.

(d) In connection with the conversion of a school district recreation system to a city recreation system under subsection (a), the members of the school district recreation

commission shall serve the balance of their respective terms in office as members of the city recreation commission and, upon the expiration thereof, the members of the city recreation commission shall be appointed by the governing body of the city.

Sec. 3. K.S.A. 79-2024 is hereby amended to read as follows: 79-2024. Notwithstanding any other provision of law to the contrary, the county treasurer of every county may accept partial payment of delinquent real property tax or personal property tax in accordance with payment guidelines established therefor by the county treasurer. Nothing in this section shall be construed to modify any consequences of untimely payment.

Sec. 4. K.S.A. 2011 Supp. 12-1750 is hereby amended to read as follows: 12-1750. As used in this act:

(a) "Structure" means any building, wall or other structure.

(b) "Enforcing officer" means the building inspector or other officer designated by ordinance and charged with the administration of the provisions of this act.

(c) "Abandoned property" means:

(1) Any residential real estate for which taxes are delinquent for the preceding two years and which has been unoccupied continuously by persons legally in possession for the preceding 90 days; or

(2) commercial real estate for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties. "Commercial real estate" means any real estate for which the present use is other than one to four residential units or for agricultural purposes.

(d) "Blighting influence" means conditions in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents of the municipality or which have an adverse impact on properties in the area. Such conditions may include, but are not limited to, the following: Defects increasing the hazards of fire, accident, or other calamities; air pollution; light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; dead and dying trees, limbs or other unsightly natural growth or unsightly appearances that constitute a blight to adjoining property, the neighborhood or the city; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any violation of health, fire, building or zoning regulations.

~~(d)~~(e) "Organization" means any nonprofit corporation organized under the laws of this state and which has among its purposes the improvement of housing.

~~(e)~~(f) "Rehabilitation" means the process of improving the property into compliance with applicable fire, housing and building codes.

~~(f)~~(g) "Parties in interest" means any owner or owners of record, judgment creditor, tax purchaser or other party having any legal or equitable title or interest in the property.

~~(g)~~(h) "Last known address" includes the address where the property is located, or the address as listed in the tax records.

Sec. 5. K.S.A. 79-2024 and 79-2102 and K.S.A. 2011 Supp. 12-1750 are hereby repealed.":

Also on page 1, in line 17, by striking "January 1, 2013, and";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 1 and 2 and inserting:

"AN ACT concerning certain municipalities relating to taxation and other matters; amending K.S.A. 79-2024 and K.S.A. 2011 Supp. 12-1750 and repealing the existing sections; also repealing K.S.A. 79-2102."

And your committee on conference recommends the adoption of this report.

STEVE HUEBERT

JOE SEIWERT

ANN E. MAH

Conferees on part of House

ROGER P. REITZ

DICK KELSEY

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Huebert, the conference committee report on **SB 207** was adopted.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Donohoe, O'Hara.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 300** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 30, following line 39, by inserting:

"New Sec. 7. (a) On and after January 1, 2013, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one ducks unlimited license plate for each such passenger vehicle or truck. Such

license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by ducks unlimited or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The board of directors of ducks unlimited may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support ducks unlimited. Any motor vehicle owner or lessee annually may apply to ducks unlimited for the use of such logo. Upon annual application and payment to either: (1) Ducks unlimited in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, ducks unlimited shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by ducks unlimited. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer ducks unlimited license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by ducks unlimited. If such logo use authorization statement is not presented at the time of registration or faxed by ducks unlimited, or the annual logo use royalty payment is not made to the county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) Ducks unlimited shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call ducks unlimited for information concerning the application process or the status of their license plate application.

(h) Ducks unlimited, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the

provisions of this section.

(i) As a condition of receiving the ducks unlimited license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to ducks unlimited and the state treasurer.

(j) Annual logo use royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the ducks unlimited royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the ducks unlimited royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the ducks unlimited royalty fund to the appropriate designee of ducks unlimited of Kansas shall be made on a monthly basis.

New Sec. 8. On and after January 1, 2013, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one masonic lodge license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such license plate may request a decal of various masonic designations, such as previous offices held in the organization and organizational affiliations, as determined by the grand lodge of Kansas. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the grand lodge of ancient free and accepted masons of Kansas or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The grand lodge of ancient free and accepted masons of Kansas may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be divided to support the Kansas masonic library and museum and other charities through Kansas freemasons charities, inc. Any motor vehicle owner or lessee annually may apply to the grand lodge of ancient free and accepted masons of Kansas for use of such logo. Upon annual application and payment to either: (1) The grand lodge of ancient free and accepted masons of Kansas in an amount of not less than \$25 or more than \$100 as a logo use royalty payment for each license plate to be issued, the grand lodge of ancient free and accepted masons of Kansas shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of the registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use

royalty payment established by the grand lodge of ancient free and accepted masons of Kansas. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer Masonic lodge license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be annually, upon payment of the fee prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant either provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the logo use royalty payment as established by the grand lodge of ancient free and accepted masons of Kansas. If such logo use authorization statement is not presented at the time of registration or faxed by the masonic lodge, or the annual logo use royalty payment is not made to a county treasurer at the time of registration, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The grand lodge of ancient free and accepted masons of Kansas shall:

(1) Pay the initial cost of silk-screening plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the grand lodge of Kansas for information concerning the application process or the status of their license plate application.

(h) The grand lodge of ancient free and accepted masons of Kansas, with the approval of the director of vehicles and subject to availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) A fee of \$2 shall be paid for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director of vehicles.

(j) As a condition of receiving the Masonic lodge license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the masonic lodge and the state treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Masonic lodge royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Masonic lodge royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Masonic lodge royalty fund to the appropriate designee of the grand lodge of ancient and free accepted masons of Kansas shall be made on a monthly basis.

Sec. 9. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141. (a) Any new distinctive license plate authorized

for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by subsection (c) of K.S.A. 8-132, and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(b) The director of vehicles shall not issue any new distinctive license plate authorized for issuance on and after July 1, 1995, unless there is a guarantee of an initial issuance of at least 500 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,145, or K.S.A. 2011 Supp. 8-177d, 8-1,163 or 8-1,166, and amendments thereto.

(d) The provisions of subsection (a), shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146 or 8-1,148, and amendments thereto, or K.S.A. 2011 Supp. 8-1,153, 8-1,158 or 8-1,161, and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 2011 Supp. 8-1,160, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not less than 1,000 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 1,000 paid orders for such plate have been received, the director of accounts and reports shall transfer \$40,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature on and after July 1, 2004, shall submit to the division of vehicles a nonrefundable amount not to exceed \$20,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) (1) Except for educational institution license plates issued under K.S.A. 8-1,142, and amendments thereto, the director of vehicles shall discontinue the issuance of any distinctive license plate authorized prior to July 1, 2004, and which is subject to the provisions of subsection (b) if:

(A) Less than 500 license plates, including annual renewals, are issued for that distinctive license plate by July 1, 2006; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period after July 1, 2006.

(2) The director of vehicles shall discontinue the issuance of any distinctive license plate authorized on and after July 1, 2004, if:

(A) Less than 500 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(B) less than 250 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued after December 31, 2012, and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

Sec. 10. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,142 is hereby amended to read as follows: 8-1,142. (a) As used in this section, "educational institution" means:

(1) Any state educational institution under the control and supervision of the state board of regents;

(2) any municipal university;

(3) any not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas;

(4) any community college organized and operating under the laws of this state; and

(5) Haskell Indian Nations university.

(b) Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one educational institution license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, plus the payment of an additional fee of \$5 for each plate, and either the payment to the county treasurer of the logo use royalty payment established by the alumni association or foundation or the presentation of the annual emblem use authorization statement provided for in subsection (c).

(c) Any educational institution may authorize through its officially recognized alumni association or foundation the use of such institution's official emblems to be affixed on license plates as provided by this section. Any royalty payment ~~to such alumni association or foundation~~ derived from this section, except reasonable administrative costs, shall be used for recognition of academic achievement or excellence subject to the approval of the chancellor or president of the educational institution. Any motor vehicle owner or lessee may annually apply to the alumni association or foundation for the use of the institution's emblems. Upon annual

application and payment to either: (1) The alumni association or foundation in an amount of not less than \$25 nor more than \$100 as an emblem use royalty payment for each educational institution license plate to be issued, the alumni association or foundation shall issue to the motor vehicle owner or lessee, without further charge, an emblem use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(d) Any applicant for an educational institution license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the educational institution license plates shall provide either the annual emblem use authorization statement provided for in subsection (c) or pay to the county treasurer the logo use royalty payment established by the alumni association or foundation. Application for registration of a passenger vehicle or truck and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(e) No registration or educational institution license plate issued under this section shall be transferable to any other person.

(f) The director of vehicles may transfer educational institution license plates from a leased vehicle to a purchased vehicle.

(g) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (b), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual emblem use authorization statement provided for in subsection (c) or the payment of the annual emblem use royalty payment established by the alumni association or foundation. If such emblem use authorization statement is not presented at the time of registration or faxed by the alumni association or foundations, or the annual emblem use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the educational institution license plates to the county treasurer of such person's residence.

~~(g)~~(h) The director of vehicles shall not issue any educational institution license plates for any educational institution, unless such educational institution's alumni association or foundation guarantees the initial issuance of at least 500 license plates.

~~(h)~~(i) The director of vehicles shall discontinue the issuance of an educational institution's license plate authorized under this section if:

(1) Less than 500 educational institution license plates, including annual renewals, are issued for an educational institution by the end of the second year of sales; and

(2) less than 250 educational institution license plates, including annual renewals, are issued for an educational institution during any subsequent two-year period.

~~(i)~~(j) Each educational institution's alumni association or foundation shall:

(1) Pay the initial cost of silk-screening for such educational license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the alumni association or foundation for information concerning the application process or the status of their license plate application.

~~(j)~~(k) Each educational institution's alumni association or foundation, with the approval of the director of vehicles and subject to the availability of materials and

equipment, shall design a license plate to be issued under the provisions of this section.

(l) As a condition of receiving the educational institution license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, emblem use royalty payment amount, plate number and vehicle type to the relevant educational institution and the state treasurer.

(m) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. In the case of an educational institution that is a state educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of such state educational institution. In the case of an educational institution which is not a state educational institution as defined by K.S.A. 76-711, and amendments thereto, upon receipt of each such remittance, the state treasurer shall remit the entire amount to the educational institutions emblem royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the educational institutions emblem royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the educational institutions emblem royalty fund to the respective educational institutions shall be made on a monthly basis.

Sec. 11. On and after January 1, 2013, K.S.A. 8-1,148 is hereby amended to read as follows: 8-1,148 (a) ~~On and after July 1, 1999,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one children's trust fund license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the cabinet or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) ~~The advisory committee on children and families~~ Kansas children's cabinet established in K.S.A. 38-1901, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment ~~to such committee~~ derived from this section shall be credited to the family and children trust account of the family and children investment fund, established in K.S.A. 38-1808, and amendments thereto, and, shall be used in accordance with the provisions of paragraph (2) of subsection (c) of K.S.A. 38-1808, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the ~~committee cabinet~~ for the use of such logo. Upon annual application and payment to either: (1) The ~~committee cabinet~~ in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each children's trust fund plate to be issued, the ~~committee cabinet~~ shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a children's trust fund license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the children's trust fund license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the cabinet. Application for registration of a passenger or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or children's trust fund license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer children's trust fund license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the cabinet. If such logo use authorization statement is not presented at the time of registration or faxed by the cabinet, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the children's trust fund license plate to the county treasurer of such person's residence.

~~(f)(g)~~ The advisory committee on children and families Kansas children's cabinet shall:

(1) Pay the initial cost of silk-screening for such children's trust fund license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the children's trust fund for information concerning the application process or the status of their license plate application.

~~(g)(h)~~ The advisory committee on children and families Kansas children's cabinet, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the children's trust fund license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the Kansas children's cabinet.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the family and children trust account of the family and children investment fund, established by K.S.A. 38-1808, and amendments thereto.

Sec. 12. On and after January 1, 2013, K.S.A. 8-1,150 is hereby amended to read as follows: 8-1,150. (a) Any owner or lessee of one or more passenger vehicles or trucks

registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas foundation for agriculture in the classroom license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by Kansas foundation for agriculture in the classroom or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The board of directors of the Kansas foundation for agriculture in the classroom may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the foundation and shall be~~ used in accordance with the by-laws of the foundation to further the mission of the foundation. Any motor vehicle owner or lessee annually may apply to the board for the use of such logo. Upon annual application and payment to either: (1) The board in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the board. Application for registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer Kansas foundation for agriculture in the classroom license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the board. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The board of directors of the Kansas foundation for agriculture in the classroom shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the board for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The board of directors of the Kansas foundation for agriculture in the classroom, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the Kansas foundation for agriculture in the classroom license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the Kansas foundation for agriculture in the classroom.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the agriculture in the classroom royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the agriculture in the classroom royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the agriculture in the classroom royalty fund to the Kansas foundation for agriculture in the classroom shall be made on a monthly basis.

Sec. 13. On and after January 1, 2013, K.S.A. 8-1,151 is hereby amended to read as follows: 8-1,151. (a) ~~On and after January 1, 2002,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the temple or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The shrine temple to which the person is a member in good standing may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the shrine temple and shall be~~ used to support the shriners hospitals for children. Any motor vehicle owner or lessee annually may apply to the shrine temple for the use of such logo. Upon annual application and payment to either: (1) The shrine temple in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the shrine temple shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make

application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the temple. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer shriners license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the temple. If such logo use authorization statement is not presented at the time of registration or faxed by the temple, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(g)~~(g) The shrine temples of Kansas shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the shrine temples for information concerning the application process or the status of their license plate application.

~~(h)~~(h) The shrine temples of Kansas, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the shriner's license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number and vehicle type to the designated shrine temple of Kansas and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the shriner's royalty fund which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the shriner's royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the shriner's royalty fund to the appropriate designee of the designated shrine temples of Kansas shall be made on a monthly basis.

Sec. 14. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,153 is hereby

amended to read as follows: 8-1,153. (a) ~~On and after January 1, 2005,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one helping schools license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the board or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The state board of education may authorize the use of the logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund. Any motor vehicle owner or lessee annually may apply to the state board of education for the use of such logo. Upon annual application and payment to either: (1) The board in an amount of \$40 as a logo use royalty payment for each license plate to be issued, the board shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the board. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director. The school district to receive the royalty payment shall be designated by the applicant on such forms.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer helping schools license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the board. If such logo use authorization statement is not presented at the time of registration or faxed by the board, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The helping schools license plate shall not be developed by the division until the state board of education has collected sufficient logo use royalty payments under subsection (b), to comply with the provisions of paragraph (1) of subsection (e) of K.S.A. 8-1,141, and amendments thereto.

~~(g)~~(h) The state board of education, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the helping schools license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, logo use royalty payment amount, plate number, school district and vehicle type to the state board of education and the state treasurer.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the helping schools license plate program fund.

Sec. 15. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,158 is hereby amended to read as follows: 8-1,158. (a) ~~On and after January 1, 2008,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one breast cancer research and outreach license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the university of Kansas or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The university of Kansas cancer center may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall ~~be paid to the university of Kansas cancer center and shall be used~~ to support a statewide coordinator for the midwest cancer alliance that serves as a liaison between the university of Kansas cancer center, hospitals, physicians and clinics across the state of Kansas. This statewide coordination includes the provision of assistance to the university of Kansas cancer center statewide medical director in working to ensure that breast cancer patients in communities across Kansas are aware of what prevention and early detection protocols, treatment choices and clinical studies are available to them. Any motor vehicle owner or lessee annually may apply to the university of Kansas cancer center for use of such logo. Upon annual application and payment to either: (1) The university of Kansas cancer center in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued, the university of Kansas cancer center shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of

registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the university of Kansas. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer breast cancer research and outreach license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment established by the university of Kansas. If such statement is not presented at the time of registration or faxed by the university of Kansas, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(f)(g) The university of Kansas cancer center shall provide to all county treasurers a toll-free telephone number where applicants can call the university of Kansas cancer center for information concerning the application process or the status of such applicant's license plate application.

(h) As a condition of receiving the breast cancer research and outreach license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the university of Kansas cancer center and the state treasurer.

(i) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the breast cancer research royalty fund, which is hereby created in the state treasury and shall be administered by the university of Kansas medical center. All expenditures from the breast cancer research royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or the chancellor's designee.

Sec. 16. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,161 is hereby amended to read as follows: 8-1,161. (a) ~~On and after January 1, 2010,~~ Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of not more than 20,000 pounds who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one support Kansas arts license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as

provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the commission or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Kansas arts commission, created under K.S.A. 74-5202, and amendments thereto, may authorize the use of their logo to be affixed on license plates as provided by this section. Any royalty payment ~~to such commission~~ derived from this section shall be credited to the Kansas arts commission special gifts fund and, shall be used in accordance with the provisions of K.S.A. 74-5204, and amendments thereto. Any motor vehicle owner or lessee may annually apply to the commission for the use of such logo. Upon annual application and payment to either: (1) The commission in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the commission shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a support Kansas arts license plate may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of motor vehicles, and any applicant for the support Kansas arts license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the commission. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or support Kansas arts license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer support Kansas arts license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the commission. If such logo use authorization statement is not presented at the time of registration or faxed by the commission, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the support Kansas arts license plate to the county treasurer of such person's residence.

~~(g)~~(g) The Kansas arts commission shall:

(1) Pay the initial cost of silk-screening for such support Kansas arts license plates; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Kansas arts commission for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The Kansas arts commission, with the approval of the director of vehicles

and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the support Kansas arts license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Kansas arts commission.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas arts commission special gifts fund.

Sec. 17. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,162 is hereby amended to read as follows: 8-1,162. (a) ~~On and after January 1, 2012~~, Any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Boy Scouts of America license plate for each such passenger vehicle or truck. In addition to the license plate, a person issued such a license plate may request a decal for the order of the arrow, wood badge, God and country award and eagle scout for each license plate. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the council or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) A Boy Scouts of America council may authorize the use of their logo to be affixed on license plates or any decal as provided by this section. Any royalty payment received pursuant to this section ~~shall be paid to the Boy Scouts of America and~~ shall be used to support the Boy Scouts of America. Any motor vehicle owner or lessee annually may apply to the Boy Scouts of America for the use of such logo. Upon annual application and payment to either: (1) The Boy Scouts of America in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate and decal to be issued, the Boy Scouts of America shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the council. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer Boy Scouts of America license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the council. If such logo use authorization statement is not presented at the time of registration or faxed by the Boy Scouts of America, or the annual use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)~~(g) The Boy Scouts of America councils shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all county treasurers a toll-free telephone number where applicants can call the Boy Scouts of America councils for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The Boy Scouts of America councils, with the approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate and decals to be issued under the provisions of this section.

~~(h)~~(i) A fee of \$2 shall be paid for each decal issued under this section. Such decals shall be affixed to the license plate in the location required by the director.

(j) As a condition of receiving the Boy Scouts of America license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, decal types used, plate number and vehicle type to the designated Kansas Boy Scouts of America council and the state treasurer.

(k) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Boy Scouts of America royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Boy Scouts of America royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Boy Scouts of America royalty fund to the designated Boy Scouts of America council shall be made on a monthly basis.

Sec. 18. On and after January 1, 2013, K.S.A. 2011 Supp. 8-1,164 is hereby amended to read as follows: 8-1,164. (a) ~~On and after January 1, 2012,~~ Any owner or lessee of one or more passenger vehicles, trucks registered for a gross weight of 20,000 pounds or less or motorcycles, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one I'm pet friendly license plate for each such passenger vehicle, truck or motorcycle. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the

county treasurer of the logo use royalty payment established by the college of veterinary medicine at Kansas state university or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The college of veterinary medicine at Kansas state university may authorize the use of their I'm pet friendly logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be ~~paid to the college of veterinary medicine at Kansas state university and shall be~~ used to support education regarding the spaying and neutering of dogs and cats in Kansas and veterinary student externships at animal shelters in Kansas. Any motor vehicle owner or lessee annually may apply to the college of veterinary medicine at Kansas state university for the use of such logo. Upon annual application and payment to either: (1) The college of veterinary medicine at Kansas state university in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each license plate to be issued, the college of veterinary medicine at Kansas state university shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement, which shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such plates not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plates shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the college. Application for registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer I'm pet friendly license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual logo use royalty payment established by the college. If such logo use authorization statement is not presented at the time of registration or faxed by the college, or the annual logo use royalty payment is not made to the county treasurer, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

~~(f)(g)~~ The college of veterinary medicine at Kansas state university shall:

(1) Pay the initial cost of silk-screening for license plates authorized by this section; and

(2) provide to all the county treasurers a toll-free number where applicants can call the college of veterinary medicine at Kansas state university for information concerning the application process or the status of their license plate application.

~~(g)~~(h) The college of veterinary medicine at Kansas state university, with approval of the director of vehicles and subject to the availability of materials and equipment, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the I'm pet friendly license plate and any subsequent registration renewal of such plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the college of veterinary medicine at Kansas state university.

(j) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the appropriate account of the restricted fees fund of the Kansas state university veterinary medical center.

Sec. 19. On and after January 1, 2013, K.S.A. 8-1,148, 8-1,150 and 8-1,151 and K.S.A. 2011 Supp. 8-1,141, 8-1-142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "distinctive license plates;"; in line 2, by striking "extending the thirty-day registration to sixty days;"; in line 3, after "8-127" by inserting ", 8-1,148, 8-1,150 and 8-1,151"; in line 4, before the first "and" by inserting ", 8-1,141, 8-1,142, 8-1,153, 8-1,158, 8-1,161, 8-1,162 and 8-1,164,";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT

WILLIE PRESCOTT

VINCENT WETTA

Conferees on part of House

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

On motion of Rep. Hayzlett, the conference committee report on **SB 300** was adopted.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz,

Siegfreid, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Collins, Finney.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2313** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for HB 2313, as follows:

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 43;

On page 3, by striking all in lines 1 through 13 and inserting:

"Section 1. (a) This section shall be known as the transparency in lawsuits protection act and shall be part of and supplemental to the Kansas code of civil procedure.

(b) It is the intent of the legislature that no statute, rule, regulation or other enactment of the state shall create a private right of action unless such right is expressly stated therein.

(c) Any legislation enacted in this state creating a private right of action shall contain express language providing for such a right. Courts of this state shall not construe a statute to imply a private right of action in the absence of such express language.

(d) Nothing in this act shall be construed to prevent the breach of any duty imposed by law from being used as the basis for a cause of action under any theory of recovery otherwise recognized by law, including, but not limited to, theories of recovery under the law of torts or contract.";

On page 1, in the title, in line 1, by striking all after "concerning;"; by striking all in line 2 and inserting "civil procedure; relating to private rights of action; certain restrictions.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **S Sub for HB 2313** was adopted.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Lane.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2596** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2596, as follows:

On page 3, by striking all in lines 21 through 28;

On page 10, in line 41, by striking "(a)";

On page 11, by striking all in lines 7 through 14;

On page 12, in line 24, by striking "(a)"; by striking all in lines 31 through 38;

On page 13, in line 6, by striking "(a)"; by striking all in lines 12 through 19;

On page 16, following line 15, by inserting:

"(4) As used in the Kansas pet animal act, "adequate veterinary medical care" shall not apply to United States department of agriculture licensed animal breeders or animal distributors.";

On page 25, in line 27, after "39." by inserting "On January 1, 2013,";

On page 28, in line 24, by striking "47-1809,"; following line 25, by inserting:

"Sec. 44. On January 1, 2013, K.S.A. 2011 Supp. 47-1809 is hereby repealed.";

And by renumbering the remaining section accordingly;

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Kerschen, the conference committee report on **S Sub for HB 2596** was adopted.

On roll call, the vote was: Yeas 109; Nays 15; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Donohoe, Fawcett, Gordon, Grosserode, Hildabrand, Kelley, Kinzer, Lane, O'Hara, Otto, Patton, Smith, Tyson, Ward.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2757** submits the following report:

The Senate recedes from all of its amendments to the bill;

And your committee on conference recommends the adoption of this report.

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

GARY K. HAYZLETT

WILLIE PRESCOTT

VINCENT WETTA

Conferees on part of House

On motion of Rep. Hayzlett, the conference committee report on **HB 2757** was adopted.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens,

Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, Gordon, Kiegerl.

Present but not voting: None.

Absent or not voting: LeDoux.

On motion of Rep. Siegfried, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 83**.

The Senate adopts the Conference Committee report on **Sub HB 2689**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Carlson to concur in Senate amendments to **S Sub for HB 2117**, Rep. Kinzer moved, pursuant to House Rule 2304, to move the previous question. Rep. Moxley rose on a point of order and offered a motion to adjourn, which was ruled out of order. Rep. Moxley requested a ruling from the Rules Chair on the motion of Rep. Kinzer to move the previous question. The chair ruled the motion of Rep. Kinzer was a priority motion and not debatable. The question arose on "Shall the question now be put?"

Roll call was demanded.

On roll call, the vote was: Yeas 67; Nays 51; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alford, Arpke, Aurand, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Pottorff, Powell, Prescott, Rhoades, Rubin, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, B. Wolf, Worley.

Nays: Ballard, Bethell, Billinger, Brookens, Burroughs, Carlin, Cassidy, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Grange, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Phillips, Proehl, Roth, Ruiz, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bollier, Fawcett, S. Gatewood, LeDoux, Mast, Scapa, Slattery.

The motion prevailed.

The question then reverted back to the motion of Rep. Carlson and the House concurred in Senate amendments to **S Sub for HB 2117**, AN ACT concerning taxation; relating to income tax, rate for individuals, credits, deductions and income determination; severance tax, exemptions; homestead property tax refunds; food sales tax refund; amending K.S.A. 39-7,132, 65-7107, 74-8206, 74-8304, 79-32,118, 79-32,128, 79-32,177, 79-32,190 and 79-32,200 and K.S.A. 2011 Supp. 40-2246, 74-50,173, 74-50,208, 74-8316, 74-8401, 79-32,110, 79-32,111, 79-32,117, 79-32,119, 79-32,138, 79-32,143, 79-32,143a, 79-32,182b, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-32,266, 79-4217, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 79-32,176 and 79-32,182 and K.S.A. 2011 Supp. 79-32,111a, 79-32,120, 79-32,202, 79-32,213, 79-32,242, 79-3633, 79-3634, 79-3635, 79-3636, 79-3637, 79-3638 and 79-3639.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 64; Nays 59; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arpke, Boman, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Powell, Prescott, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Weber, B. Wolf.

Nays: Aurand, Ballard, Bethell, Billinger, Bowers, Brookens, Burroughs, Carlin, Cassidy, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Grange, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kelly, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Moxley, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Proehl, Roth, Ruiz, Schroeder, Shultz, Slattery, Sloan, Spalding, Swanson, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Bollier, LeDoux.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no **S Sub for HB 2117** because it pits those who are a business against those who get a W-2 from the business. It runs the state in the red and will not grow anything. Voting for something in a high pressure last minute deal is not the way to run a railroad, no wait, I guess that is exactly the way to run a Railroad.-- BILL OTTO

MR. SPEAKER: **S Sub for HB 2117** will decimate any possibility of properly funding education. I have been on the losing side of many issues in my 17 years here, but this is the first time I've been ashamed of the process. I vote NO on **S Sub for HB 2117**. – GERALDINE FLAHARTY

MR. SPEAKER: Economists have long debated the value of tax cuts on the economy. To assume that tax cuts will so increase business that the net effects will be a revenue gain is a myth. This was tried, of course, under President Reagan, and found to be wanting. Estimates generated from our research department show that our budget will be underwater in 2014, 2015, 2016, 2017—I vote no on **S Sub for HB 2117**. – SYDNEY CARLIN

MR. SPEAKER: Members of the Kansas House of Representatives I, like you, was elected to represent the citizens of my, or your, district, in this body. I believe all of the citizens of Kansas believe we live in a democratic republic. It is not a principle of a democratic republic to stifle debate. I vote no on **S Sub for HB 2117**. – BOB BETHELL

MR. SPEAKER: I was elected to represent the citizens of the 86th District. With this maneuvering my constituents' voices and concerns have not been heard—they have been disregarded, disenfranchised, and marginalized. Mr. Speaker, I vote NO on **S Sub for HB 2117**. – JUDITH LOGANBILL

MR. SPEAKER: This is a train wreck. This is not conservative policy. I vote no on **S Sub for HB 2117**. – VINCENT WETTA

MR. SPEAKER: This bill affects all Kansans—not just some. Yet, only a small percentage were allowed to be represented today. Debate has been intentionally stifled by a small majority of this chamber. I am appalled that so little consideration of our constituents has been given. For this reason, I must vote no on **S Sub for HB 2117**. – ANNIE TIETZE

MR. SPEAKER: I vote no on **S Sub for HB 2117** because I believe voting on this bill without the opportunity of being vetted or debated by the elected officials of each district of this state is not only irresponsible but disgraceful.

Unlike others in this chamber, I am not surprised to see the voices of our represented districts silenced. For the four years I have been here in the House chamber, I have repeatedly seen many voices, organizations, and people in need completely ignored time after time. I hope and pray we will do better in the future. We all work for the citizens of Kansas and apparently we have forgotten. – GAIL FINNEY

MR. SPEAKER: We have had to make massive cuts to programs for seniors, veterans, children, schools, the disabled and the families in need of assistance in the past few years because of the poor economy. Now that the economy is improving we are going to artificially devastate the State general fund and create the need for future massive cuts to these programs. This tax policy breaks the promise that we have made to Kansas citizens and will make Kansas a good place to live for only the most wealthy. Mr. Speaker, I vote “No” on **S Sub for HB 2117**. – ED TRIMMER

MR. SPEAKER: I vote no on **S Sub for HB 2117** simply because I do not know enough about it to vote yes. The debate was stopped prematurely by a procedure that was

exercised to stifle our due diligence by limiting our deliberations.

This is indeed a sad day when we do not give all colleagues of differing viewpoints the courtesy of time to ask questions, clarify and to state their opposing positions. Oddly enough the same procedure also limited statements of support. – JOHN C GRANGE

MR. SPEAKER: I vote no on this motion to concur on **S Sub for HB 2117**. The Senate tax plan was voted down and was only reconsidered and passed after pressure from the governor. Now we are passing a tax plan that put us \$2.7 billion in the hole, but we are assured that the administration says “We can make it work.” There is also the notion that the bill will remain unsigned until the Senate “comes to its senses.” This is Washington politics of the highest order, some will call it blackmail. Kansans should be ashamed of its legislature today. This is not the Kansas way. – CHARLES ROTH

MR. SPEAKER: Walking up to the edge of the cliff. We watched Congress do that last winter with devastating effects on the stock market, business, consumer confidence and the resulting human toll to everyone in the U.S. Economy.

This is no different in the toll it will put on Kansas, its services, its roads, its schools, and most importantly its people

The short-changing of our colleague's rights to explain their vote and change their votes is unprecedented. I vote no on **S Sub for HB 2117**. – TOM MOXLEY

Mr. Speaker: I vote No on S Sub for HB 2117. In my almost twenty years in the House of Representatives, I have never seen debate stifled in this manner. I have spent a lot of late nights in this Chamber listening and debating a lot of tough and contentious issues. It is sad to see some members of this Chamber, not allow their colleagues their opportunity to represent the people who elected them. I vote no on **S Sub for HB 2117**. – BOB GRANT

MR. SPEAKER: Today is a sad day in the people's House. As debate was stifled on this bill there were at least 10 Representatives waiting to address the legislation. I do not believe there is one among us who is not prepared to support tax relief this year. I do not believe there is one among us who does not believe that Kansas economy is rebounding and that our revenues will increase during the next year. We can afford to simplify and lower taxes. This bill goes way too far. This is the most irresponsible legislation I have seen in my career. I vote no on **S SUB FOR HB 2117**. – DON HILL

MR. SPEAKER: I vote yes on **S Sub for HB 2117**. For too many years our state had a failed tax policy that has put us in the red, and it is time we move our state forward with a tax plan that will grow our economy and create jobs. This tax plan will lower income and sales tax for all Kansans and create better jobs that will increase the quality of life for Kansans. – BRENDA K. LANDWEHR, AMANDA GROSSERODE, SHARON SCHWARTZ, DENNIS E. HEDKE, TERRILOIS GREGORY, BRETT HILDABRAND, CONNIE O'BRIEN, RANDY GARBER, JANA GOODMAN, PEGGY MAST, KYLE HOFFMAN, JOE SEIWERT, JOHN RUBIN, JOSEPH SCAPA

On motion of Rep. Siegfried, the House recessed until 4:45 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, Rep. Kinzer moved, pursuant to House Rule 2303, that the House reconsider its action in concurring in Senate amendments to **S Sub for HB 2117**. The motion did not prevail (see page 2522 of this Journal).

On motion of Rep. Siegfroid, the House resolved into the Committee of the Whole, with Rep. Rhoades in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rhoades, Committee of the Whole report, as follows, was adopted:

Recommended that **H Sub for SB 102; Sub SB 393** be passed over and retain a place on the calendar.

Committee report recommending a substitute bill to **H Sub for SB 59** be adopted; also, on motion of Rep. Kleeb be amended on page 2, in line 5, after "subclass." by inserting "The provisions of this subsection shall expire and have no effect on and after July 1, 2014.";

Also, on motion of Rep. Brookens to amend **H Sub for SB 59**, the motion did not prevail.

Also, on further motion of Rep. Brookens, **H Sub for SB 59** be amended on page 2, in line 2, by striking "or" and inserting "and was"; in line 4, after the first "property" by inserting "for tax years 2012, 2013 and 2014,"; in line 5, after "subclass." by inserting "The provisions of this subsection shall expire and have no effect after December 31, 2014.";

Also, on motion of Rep. Peck to amend **H Sub for SB 59**, the motion did not prevail. Also, on further motion of Rep. Peck to amend, the motion was withdrawn.

Also, on motion of Rep. Meier, **H Sub for SB 59** be amended on page 2, following line 27, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 79-1439 is hereby amended to read as follows: 79-1439. (a) All real and tangible personal property which is subject to general *ad valorem* taxation shall be appraised uniformly and equally as to class and, unless otherwise specified herein, shall be appraised at its fair market value, as defined in K.S.A. 79-503a, and amendments thereto.

(b) Property shall be classified into the following classes and assessed at the percentage of value prescribed therefor:

(1) Real property shall be assessed as to subclass at the following percentages of value:

(A) Real property used for residential purposes (including multi-family residential real property, real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located, residential real property used partially for day care home purposes if such home has been registered or licensed pursuant to K.S.A. 65-501 *et seq.*, and amendments thereto, and residential real property used partially for bed and breakfast home purposes at 11.5%. As used in this paragraph "bed and breakfast home" means a residence with five or fewer bedrooms available for overnight guests who stay for not more than 28

consecutive days for which there is compliance with all zoning or other applicable ordinances or laws which pertain to facilities which lodge and feed guests, and includes structures used for bed and breakfast purposes which are adjacent to the main bed and breakfast home when located on the same parcel of land on which the bed and breakfast home is located or on land owned by the same owner of the land upon which the bed and breakfast home is located which is contiguous to the land on which the bed and breakfast home is located when such structure is not used for the production of income other than the production of income generated from bed and breakfast purposes;

(B) land devoted to agricultural use valued pursuant to K.S.A. 79-1476, and amendments thereto, at 30%;

(C) vacant lots at 12%;

(D) real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code and included herein pursuant to K.S.A. 79-1439a, and amendments thereto, at 12%;

(E) public utility real property, except railroad property which shall be assessed at the average rate all other commercial and industrial property is assessed, at 33%. As used in this paragraph, "public utility" shall have the meaning ascribed thereto by K.S.A. 79-5a01, and amendments thereto;

(F) real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use at 25%; and

(G) all other urban and rural real property not otherwise specifically subclassed at 30%.

(2) Personal property shall be classified into the following classes and assessed at the percentage of value prescribed therefor:

(A) Mobile homes used for residential purposes at 11.5%;

(B) mineral leasehold interests, except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests, the average daily production from which is 100 mcf or less, which shall be assessed at 25%, at 30%;

(C) public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed, at 33%. As used in this paragraph, "public utility" shall have the meaning ascribed thereto by K.S.A. 79-5a01, and amendments thereto;

(D) all categories of motor vehicles listed and taxed pursuant to K.S.A. 79-306d, and amendments thereto, and over-the-road motor vehicles defined pursuant to K.S.A. 79-6a01, and amendments thereto, at 30%;

(E) commercial and industrial machinery and equipment, including rolling equipment defined pursuant to K.S.A. 79-6a01, and amendments thereto, which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property as long as it is being used shall not be less than 20% of the retail cost when new of such property at 25%; and

(F) all other tangible personal property not otherwise specifically classified at

30%.");

And by renumbering sections accordingly;

Also on page 2, in line 28, by striking "is" and inserting "and 79-1439 are";

On page 1, in the title, in line 2, before "classification" by inserting "bed and breakfast homes;"; in line 3, after "79-223" by inserting "and 79-1439"; also in line 3, by striking "section" and inserting "sections";

Also, on motion of Rep. Brookens, **H Sub for SB 59** be amended, as amended on May 9, 2012, by amendments designated as fa_2012_sb59_h_5612 on page 2, in subsection "(d)" by striking "The provisions of this subsection shall expire and have no effect on and after July 1, 2014."; and **H Sub for SB 59** be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2757; Sub HB 2768 reported correctly engrossed May 9, 2012.

HB 2324 reported correctly re-engrossed May 9, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Thursday, May 10, 2012.

Journal of the House

SIXTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 10, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 124 members present.

Rep. LeDoux was excused on verified illness.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
As I thought about what to pray today,
my spirit was checked and I believe
I am to pray this passage of Scripture
that I shared earlier with some of the leaders.
"Be still and know that I am God."
What does this mean for our leaders today
as they make tough decisions?
Be still – help us to quiet ourselves,
to cease from our own efforts,
to relax, to quit striving
get over ourselves – chill.
And know – help us to not just know about You,
but to know You experientially –
to know Your power, love, forgiveness and holiness.
I am God – help us to understand You Are –
That You are who You are –
You are the Beginning and the End –
You have always been and always will be –
You are who we need You to be today.
Help our leaders to think about, dwell, and live out
this passage today as they speak,
vote, and how they treat one another.
In Christ's Name I pray, Amen.
(Psalm 46:10)

The Pledge of Allegiance was led by Rep. Slattery.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Goico are spread upon the

Journal:

This certificate acknowledges the achievements of the Salvation Army in the Kansas Supportive Services for Veteran Families program.

The nature of combat in Iraq and Afghanistan has had a detrimental impact on service members and their families. Quite often veterans return home and find themselves without a job and on the verge of losing their homes. Suicide rates have escalated rapidly among these veterans. Programs like this one help protect those who have protected our country and our freedoms, and their families.

The Salvation Army received a grant last year from the United States Department of Veteran Affairs to serve veterans throughout the state.

This program addresses the housing needs for very low income Kansas veterans and their families who are, at the present time, homeless or at risk of becoming homeless. This program provides specialized housing services, case management, access to veteran and state benefits, temporary financial assistance and other supportive services.

The primary goals of the program are:

- 1) Veterans at risk of becoming homeless will remain housed in appropriate, affordable housing.
- 2) Homeless veterans will be housed immediately.
- 3) Veterans will increase their income through counseling and employment assistance.

Program Accomplishments:

- The first veteran participant was enrolled in November, 2011.
- As of April 30, 2012, 169 veterans and their families have been settled in 93 households across the state of Kansas.
- These households include 48 children.
- 82 individuals have completed the program during the first 6 months of service with 95% exiting the program with permanent housing.

This certificate recognizes these memorable achievements in service of our veterans and our state, and offers the wishes of the Kansas House of Representative for continued success.

Rep. Goico presented a framed House certificate to members of the Salvation Army.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 160; SB 334; S Sub for HB 2077; HB 2502, HB 2613.**

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Reps. Shultz, Hermanson and Grant to replace Reps. Colloton, Kinzer and McCray-Miller as conferees on the conference committee on **HB 2494.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 59, AN ACT concerning property taxation; relating to exemptions;

commercial and industrial machinery and equipment; classification; amending K.S.A. 2011 Supp. 79-223 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 21; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Goodman, Gordon, Grange, Gregory, Grosseode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Bethell, Billinger, Carlin, Cassidy, Feuerborn, D. Gatewood, Gonzalez, Grant, Henderson, Henry, C. Holmes, Kelly, McCray-Miller, Moxley, Peck, Phelps, Phillips, Ryckman, Swanson, Tietze, Williams.

Present but not voting: None.

Absent or not voting: LeDoux.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: **H Sub for SB 59** intends to ensure machinery and equipment considered as personal property prior to the enactment of the commercial and industrial machinery and equipment exemption continues to be considered personal property after its enactment. The bill intends to capture property that was exempt in 2006. If exempt property was ordered to be exempt by the Court of Tax Appeals and described as "machinery and equipment" or "personal property", it should continue to be classified as personal property after the expiration of the exemption period. This accomplishes that goal. Although this is written, I am shouting legislative intent. I vote yes. -- SCOTT SCHWAB, MARVIN KLEEB, RICHARD CARLSON

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 160** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No.160, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 13 and inserting:

"Section 1. K.S.A. 2011 Supp. 23-3103 is hereby amended to read as follows: follows: 23-3103. (a) Any new or modified order for support shall include a provision for the withholding of income to enforce the order for support.

(b) Except as otherwise provided in subsection (j), (k) or (l), all new or modified orders for support shall provide for immediate issuance of an income withholding order.

The income withholding order shall be issued without further notice to the obligor and shall specify an amount sufficient to satisfy the order for support and to defray any arrearage. The income withholding order shall be issued regardless of whether a payor subject to the jurisdiction of this state can be identified at the time the order for support is entered.

(c) Except as otherwise provided in this subsection or subsections (j) or (l), if no income withholding order is in effect to enforce the support order, an income withholding order shall be issued by the court upon request of the obligee or public office, provided that the obligor accrued an arrearage equal to or greater than the amount of support payable for one month and the requirements of subsections (d) and (h) have been met. The income withholding order shall be issued without further notice to the obligor and shall specify an amount sufficient to satisfy the order for support and to defray any arrearage. The income withholding order shall be issued regardless of whether a payor subject to the jurisdiction of this state can be identified at the time the income withholding order is issued.

(d) Not less than seven days after the obligee or public office has served a notice pursuant to subsection (h), the obligee or public office may initiate income withholding pursuant to paragraph (1) or (2).

(1) The obligee or public office may apply for an income withholding order by filing with the court an affidavit stating: (A) The date that the notice was served on the obligor and the manner of service; (B) that the obligor has not filed a motion to stay issuance of the income withholding order or, if a motion to stay has been filed, the reason an income withholding order must be issued immediately; (C) a specified amount to be withheld by the payor to satisfy the order of support and to defray any arrearage; (D) whether the income withholding order is to include a medical withholding order; and (E) that the amount of the arrearage as of the date the notice to the obligor was prepared was equal to or greater than the amount of support payable for one month. In addition to any other penalty provided by law, the filing of such an affidavit with knowledge of the falsity of a material declaration is punishable as a contempt.

Upon the filing of the affidavit, the income withholding order shall be issued without further notice to the obligor, hearing or amendments of the support order. Payment of all or part of the arrearage before issuance of the income withholding order shall not prevent issuance of the income withholding order, unless the arrearage is paid in full and the order for support does not include an amount for the current support of a person. No affidavit is required if the court, upon hearing a motion to stay issuance of the income withholding order or otherwise, issues an income withholding order.

(2) In a title IV-D case, the IV-D agency may issue an income withholding order as authorized by K.S.A. 39-7,147, and amendments thereto. Any such income withholding order shall be considered an income withholding order issued pursuant to this act.

(e) (1) An income withholding order shall be directed to any payor of the obligor. Notwithstanding any other requirement of this act as to form or content, any income withholding order prepared in a standard format prescribed by the secretary of social and rehabilitation services shall be deemed to be in compliance with this act.

(2) An income withholding order which does not include a medical withholding order shall require the payor to withhold from any income due, or to become due, to the obligor a specified amount sufficient to satisfy the order of support and to defray any

arrearage and shall include notice of and direction to comply with the provisions of K.S.A. 2011 Supp. 23-3104 and 23-3105, and amendments thereto.

(3) An income withholding order which consists only of a medical withholding order shall include notice of the medical child support order and shall conform to the requirements of K.S.A. 2011 Supp. 23-3116, and amendments thereto. The medical withholding order shall include notice of and direction to comply with the requirements of K.S.A. 2011 Supp. 23-3104, 23-3105, 23-3114 and 23-3117, and amendments thereto.

(4) An income withholding order which includes both a medical withholding order and an income withholding order for cash support shall meet the requirements of paragraphs (2) and (3).

(f) (1) Upon written request and without the requirement of further notice to the obligor, the clerk of the district court shall cause a copy of the income withholding order to be served on the payor only by personal service or registered mail, return receipt requested.

(2) Without the requirement of further notice to the obligor, the court trustee or IV-D agency may cause a copy of any income withholding order to be served on the payor only by personal service or registered mail, return receipt requested or by any alternate method acceptable to the payor. No payor shall be liable to any person solely because of the method of service accepted by the payor.

(3) As used in this section, "copy of the income withholding order" means any document or notice, regardless of format, that advises the payor of the same general duties, requires the same amount to be withheld from income and requires medical withholding to the same extent as the original income withholding order.

(g) An income withholding order shall be binding on any existing or future payor on whom a copy of the order is served and shall require the continued withholding of income from each periodic payment of income until further order of the court or agency that issued the income withholding order. At any time following issuance of an income withholding order, a copy of the income withholding order may be served on any payor without the requirement of further notice to the obligor.

(h) Except as provided in subsection (k) or (l), at any time following entry of an order for support the obligee or public office may serve upon the obligor a written notice of intent to initiate income withholding. If any notice in the court record indicates that title IV-D services are being provided in the case, whether or not the IV-D services include enforcement of current support, the person or public office requesting issuance of the income withholding order shall obtain the consent of the IV-D agency to the terms of the proposed income withholding order.

The notice of intent to initiate income withholding shall be served on the obligor only by personal service or registered mail, return receipt requested. The notice served on the obligor must state: (1) The terms of the order of support and the total arrearage as of the date the notice was prepared; (2) the amount of income that will be withheld, not including premiums to satisfy a medical withholding order; (3) whether a medical withholding order will be included; (4) that the provision for withholding applies to any current or subsequent payor; (5) the procedures available for contesting the withholding and that the only basis for contesting the withholding is a mistake of fact concerning the amount of the support order, the amount of the arrearage, the amount of income to be withheld or the proper identity of the obligor; (6) the period within which the obligor

must act to stay issuance of the income withholding order and that failure to take such action within the specified time will result in payors' being ordered to begin withholding; and (7) the action which will be taken if the obligor contests the withholding.

The obligor may, at any time, waive in writing the notice required by this subsection.

(i) On request of an obligor, the court shall issue an income withholding order which shall be honored by a payor regardless of whether there is an arrearage. Nothing in this subsection shall limit the right of the obligee to request modification of the income withholding order.

(j) (1) In a nontitle IV-D case, upon presentation to the court of a written agreement between the parties providing for an alternative arrangement, no income withholding order shall be issued pursuant to subsection (b). In any case, before entry of a new or modified order for support, a party may request that no income withholding order be issued pursuant to subsection (b) if notice of the request has been served on all interested parties and: (A) The party demonstrates, and the court finds, that there is good cause not to require immediate income withholding; or (B) a written agreement among all interested parties provides for an alternative arrangement. If child support and maintenance payments are both made to an obligee by the same obligor, and if the court has determined that good cause has been shown that direct child support payments to the obligee may be made, then the court shall provide for direct maintenance payments to the obligee and no income withholding order shall be issued pursuant to subsection (b). In a title IV-D case, the determination that there is good cause not to require immediate income withholding must include a finding that immediate income withholding would not be in the child's best interests and, if an obligor's existing obligation is being modified, proof of timely payment of previously ordered support.

(2) Notwithstanding the provisions of subsection (j)(1), the court shall issue an income withholding order when an affidavit pursuant to subsection (d) is filed if an arrearage exists in an amount equal to or greater than the amount of support payable for one month.

(3) If a notice pursuant to subsection (h) has been served in a title IV-D case, there is no arrearage or the arrearage is less than the amount of support payable for one month, and the obligor files a motion to stay issuance of the income withholding order based upon the court's previous finding of good cause not to require immediate income withholding pursuant to subsection (j)(1), the obligor must demonstrate the continued existence of good cause. Unless the court again finds that good cause not to require immediate income withholding exists, the court shall issue the income withholding order.

(4) If a notice pursuant to subsection (h) has been served in a title IV-D case, there is no arrearage or the arrearage is less than the amount of support payable for one month, and the obligor files a motion to stay issuance of an income withholding order based upon a previous agreement of the interested parties for an alternative arrangement pursuant to subsection (j)(1), the court shall issue an income withholding order, notwithstanding any previous agreement, if the court finds that:

- (A) The agreement was not in writing;
- (B) the agreement was not approved by all interested parties;
- (C) the terms of the agreement or alternative arrangement are not being met;
- (D) the agreement or alternative arrangement is not in the best interests of the child;

or

(E) the agreement or alternative arrangement places an unnecessary burden upon the obligor, obligee or a public office.

(5) The procedures and requirements of K.S.A. 2011 Supp. 23-3106, and amendments thereto, apply to any motion pursuant to paragraph (3) or (4) of this subsection-~~(j)~~.

(k) (1) An *ex parte* interlocutory order for support may be enforced pursuant to subsection (b) only if the obligor has consented to the income withholding in writing.

(2) An *ex parte* interlocutory order for support may be enforced pursuant to subsection (c) only if 14 or more days have elapsed since the order for support was served on the obligor.

(3) Any other interlocutory order for support may be enforced by income withholding pursuant to this act in the same manner as a final order for support.

(4) No bond shall be required for the issuance of an income withholding order to enforce an interlocutory order pursuant to this act.

(l) All new or modified orders for maintenance of a spouse or ex-spouse, except orders for a spouse or ex-spouse living with a child for whom an order of support is also being enforced, entered on or after July 1, 1992, shall include a provision for the withholding of income to enforce the order of support. Unless the parties consent in writing to earlier issuance of a withholding order, withholding shall take effect only after there is an arrearage in an amount equal to or greater than the amount of support payable for two months and after service of a notice as provided in subsection (h).

Sec. 2. K.S.A. 2011 Supp. 75-6202 is hereby amended to read as follows: 75-6202. As used in this act:

(a) "Debtor" means any person who:

(1) Owes a debt to the state of Kansas or any state agency or any municipality;

(2) owes support to an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2011 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act ~~(42 U.S.C. § 651 *et seq.*)~~, as amended; or

(3) owes a debt to a foreign state agency.

(b) "Debt" means:

(1) Any liquidated sum due and owing to the state of Kansas, or any state agency, municipality or foreign state agency which has accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum. A debt shall not include special assessments except when the owner of the property assessed petitioned for the improvement and any successor in interest of such owner of property; or

(2) any amount of support due and owing an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2011 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act ~~(42 U.S.C. § 651 *et seq.*)~~, as amended, which amount shall be considered a debt due and owing the district court trustee or the department of social and rehabilitation services for the purposes of this act.

(c) "Refund" means any amount of Kansas income tax refund due to any person as a result of an overpayment of tax, and for this purpose, a refund due to a husband and wife resulting from a joint return shall be considered to be separately owned by each

individual in the proportion of each such spouse's contribution to income, as the term "contribution to income" is defined by rules and regulations of the secretary of revenue.

(d) "Net proceeds collected" means gross proceeds collected through final setoff against a debtor's earnings, refund or other payment due from the state or any state agency minus any collection assistance fee charged by the director of accounts and reports of the department of administration.

(e) "State agency" means any state office, officer, department, board, commission, institution, bureau, agency or authority or any division or unit thereof and any judicial district of this state or the clerk or clerks thereof. "State agency" also shall include any district court utilizing collection services pursuant to K.S.A. 75-719, and amendments thereto, to collect debts owed to such court.

(f) "Person" means an individual, proprietorship, partnership, limited partnership, association, trust, estate, business trust, corporation, other entity or a governmental agency, unit or subdivision.

(g) "Director" means the director of accounts and reports of the department of administration.

(h) "Municipality" means any municipality as defined by K.S.A. 75-1117, and amendments thereto.

(i) "Payor agency" means any state agency which holds money for, or owes money to, a debtor.

(j) "Foreign state or foreign state agency" means the states of Colorado, Missouri, Nebraska or Oklahoma or any agency of such states which has entered into a reciprocal agreement pursuant to K.S.A. 75-6215, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 23-3103 and 75-6202 are hereby repealed.";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking "exceptions" and inserting "child support; relating to collection of support payments";

Also in line 2, by striking "58-3201" and inserting "2011 Supp. 23-3103 and 75-6202"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **H Sub for SB 160** was adopted.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe,

Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Lane.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 334** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 8-2,101 is hereby amended to read as follows: 8-2,101. The division of vehicles may issue a restricted class C or M driver's license in accordance with the provisions of this section. A restricted class C license issued under this section shall entitle the licensee, while possessing the license, to operate any motor vehicle in class C, as designated in K.S.A. 8-234b, and amendments thereto. A restricted class M license shall entitle the licensee, while possessing such license, to operate a motorcycle.

(a) The division may issue a restricted class C or M driver's license to any person who:

(1) Is at least 15 years of age;

(2) has successfully completed an approved course in driver training;

(3) has held an instructional permit issued under the provisions of K.S.A. ~~8-239-8-2,100~~, and amendments thereto, for a period of at least one year and has completed at least 25 hours of adult supervised driving or has obtained an instructional permit from another state or the district of Columbia which has equivalent or greater requirements; and

(4) upon the written application of the person's parent or guardian, which shall be submitted to the division.

Any licensee issued a restricted license under this subsection, shall provide prior to reaching 16 years of age, a signed affidavit of either a parent or guardian, stating that the applicant has completed the required 25 hours prior to being issued a restricted license and 25 hours of additional adult supervised driving. Of the 50 hours required by this subsection, at least 10 of those hours shall be at night. The adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(b) (1) A restricted license issued under subsection (a) shall entitle a licensee who is

at least 15 years of age but less than 16 years of age, to operate the appropriate motor vehicles at any time:

(A) While going to or from or in connection with any job, employment or farm-related work;

(B) on days while school is in session, over the most direct and accessible route between the licensee's residence and school of enrollment for the purposes of school attendance;

(C) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(D) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

(2) For a period of six months, a restricted license issued under subsection (a) shall entitle a licensee who is at least 16 years of age to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

(C) while going to or from authorized school activities;

(D) while going directly to or from any religious worship service held by a religious organization;

(E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or

(F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

(c) (1) The division may issue a restricted class C or M driver's license to any person who is under 17 years of age but at least 16 years of age, who:

(A) Has held an instructional permit issued under the provisions of K.S.A. ~~8-239-8-2,100~~, and amendments thereto, for a period of at least one year; and

(B) has submitted a signed affidavit of either a parent or guardian, stating that the applicant has completed at least 50 hours of adult supervised driving with at least 10 of those hours being at night. The required adult supervised driving shall be conducted by an adult who is at least 21 years of age and is the holder of a valid commercial driver's license, class A, B or C driver's license.

(2) For a period of six months, a restricted license issued under subsection (c)(1) shall entitle a licensee to operate the appropriate motor vehicles at any time:

(A) From 5:00 a.m. to 9:00 p.m.;

(B) while going to or from or in connection with any job, employment or farm-related work;

- (C) while going to or from authorized school activities;
- (D) while going directly to or from any religious worship service held by a religious organization;
- (E) when the licensee is operating a passenger car, at any time when accompanied by an adult, who is the holder of a valid commercial driver's license, class A, B or C driver's license and who is actually occupying a seat beside the driver; or
- (F) when the licensee is operating a motorcycle, at any time when accompanied by an adult, who is the holder of a valid class M driver's license and who is either operating a motorcycle in the general proximity of the licensee or is riding as a passenger on the motorcycle being operated by the licensee.

After such six-month period, if the licensee has complied with the provisions of this section, such restricted license shall entitle the licensee to operate the appropriate motor vehicles at any time without any of the restrictions required by this section.

- (d) (1) Any licensee issued a restricted license under subsection (a):
 - (A) Who is less than 16 years of age shall not operate any motor vehicle with nonobscuring minor passengers; or
 - (B) who is at least 16 years of age, for a period of six months after reaching 16 years of age, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.
- (2) Any licensee issued a restricted license under subsection (c), for a period of six months after such restricted license is issued, shall not operate any motor vehicle with more than one passenger who is less than 18 years of age and who is not a member of the licensee's immediate family.
- (3) Any conviction for violating this subsection shall be construed as a moving traffic violation for the purpose of K.S.A. 8-255, and amendments thereto.

(e) Any licensee issued a restricted license under this section shall not operate a wireless communication device while driving a motor vehicle, except that a licensee may operate a wireless communication device while driving a motor vehicle to report illegal activity or to summons medical or other emergency help.

- (f) (1) A restricted driver's license issued under this section is subject to suspension or revocation in the same manner as any other driver's license.
- (2) A restricted driver's license shall be suspended in accordance with K.S.A. 8-291, and amendments thereto, for any violation of restrictions under this section.
- (3) The division shall suspend the restricted driver's license upon receiving satisfactory evidence that the licensee has been involved in two or more accidents chargeable to the licensee and such suspended license shall not be reinstated for one year.

(g) Evidence of failure of any licensee who was required to complete the 50 hours of adult supervised driving under this section shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

- (h) Any licensee issued a restricted license under:
 - (1) Subsection (a) who:
 - (A) Is under the age of 16 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person reaches 17 years of age;

(B) is under 17 years of age but at least 16 years of age and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(2) until the person reaches 18 years of age; or

(C) fails to provide the affidavit required under subsection (a) shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (b)(1) until the person provides such affidavit to the division or the person reaches 17 years of age, whichever occurs first.

(2) Subsection (c) who is under the age of 17 years and is convicted of two or more moving traffic violations committed on separate occasions shall not be eligible to receive a driver's license which is not restricted in accordance with the provisions of subsection (c) until the person reaches 18 years of age.

(i) This section shall be a part of and supplemental to the motor vehicle driver's license act.";

And by renumbering sections accordingly;

Also on page 2, in line 4, after "Supp." by inserting "8-2,101 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, by striking "motor vehicles" and inserting "driver's licenses"; in line 2, by striking the semicolon and inserting a comma; in line 3, after "requirements;" by inserting "restricted licenses;"; also in line 3, after "Supp." by inserting "8-2,101 and"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

GARY K. HAYZLETT
WILLIAM R. PRESCOTT
VINCENT WETTA

Conferees on part of House

DWAYNE UMBARGER
BOB MARSHALL
KELLY KULTALA

Conferees on part of Senate

On motion of Rep. Hayzlett, the conference committee report on **SB 334** was adopted.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab,

Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2077** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed as Senate Substitute for House Bill No. 2077 as follows:

On page 4, in line 36, after the comma by inserting "a veteran or service-disabled veteran small business"; following line 39, by inserting:

"(d) (1) With respect to any state or local economic development or incentive program, the client shall have access to such program and the client shall not be adversely affected or disqualified because the client:

(A) Has entered into a professional employer agreement; or

(B) uses the services of a professional employer organization.

(2) If a state or local economic development or incentive program has any employee-related requirement necessary to qualify for participation in such program, the employees of the client shall be deemed to be employees for the purpose of satisfying such requirement.";

And your committee on conference recommends the adoption of this report.

RUTH TEICHMAN

TY MASTERTSON

ALLEN SCHMIDT

Conferees on part of Senate

GENE SUELLENTROP

MARVIN KLEEB

MIKE SLATTERY

Conferees on part of House

On motion of Rep. Suellentrop, the conference committee report on **S Sub for HB 2077** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 91; Nays 33; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Fawcett, Finney, Garber, Goico, Gonzalez, Gordon, Grange, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Neal, Otto, Peck, Phillips, Pottorff, Powell, Prescott,

Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Bollier, Boman, Carlin, Collins, Davis, Dillmore, Donohoe, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goodman, Grant, Gregory, Grosserode, Henderson, Henry, Kinzer, Mah, Meier, O'Hara, Osterman, Patton, Pauls, Peterson, Phelps, Ruiz, Schwartz, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2502** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 17-5903 is hereby amended to read as follows: 17-5903. As used in this act:

(a) "Corporation" means a domestic or foreign corporation organized for profit or nonprofit purposes.

(b) "Nonprofit corporation" means a corporation organized not for profit and which qualifies under section 501(c)(3) of the federal internal revenue code of 1986 as amended.

(c) "Limited partnership" has the meaning provided by K.S.A. 56-1a01, and amendments thereto.

(d) "Limited agricultural partnership" means a limited partnership founded for the purpose of farming and ownership of agricultural land in which:

(1) The partners do not exceed 10 in number;

(2) the partners are all natural persons, persons acting in a fiduciary capacity for the benefit of natural persons or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) at least one of the general partners is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one partner is meeting the requirement of this provision and such partner dies, the requirement of this provision does not apply for the period of time that the partner's estate is being administered in any district court in Kansas.

(e) "Corporate partnership" means a partnership, as defined in K.S.A. 56a-101, and amendments thereto, which has within the association one or more corporations or one or more limited liability companies.

(f) "Feedlot" means a lot, yard, corral, or other area in which livestock fed for slaughter are confined. The term includes within its meaning agricultural land in such acreage as is necessary for the operation of the feedlot.

(g) "Agricultural land" means land suitable for use in farming.

(h) "Farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock. Farming does

not include the production of timber, forest products, nursery products or sod, and farming does not include a contract to provide spraying, harvesting or other farm services.

(i) "Fiduciary capacity" means an undertaking to act as executor, administrator, guardian, conservator, trustee for a family trust, authorized trust or testamentary trust or receiver or trustee in bankruptcy.

(j) "Family farm corporation" means a corporation:

(1) Founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) all of its stockholders are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the stockholders is a person residing on the farm or actively engaged in the labor or management of the farming operation. A stockholder who is an officer of any corporation referred to in this subsection and who is one of the related stockholders holding a majority of the voting stock shall be deemed to be actively engaged in the management of the farming corporation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(k) "Authorized farm corporation" means a Kansas corporation, other than a family farm corporation, all of the incorporators of which are Kansas residents, family farm corporations or family farm limited liability agricultural companies or any combination thereof, and which is founded for the purpose of farming and the ownership of agricultural land in which:

(1) The stockholders do not exceed 15 in number; and

(2) the stockholders are all natural persons, family farm corporations, family farm limited liability agricultural companies or persons acting in a fiduciary capacity for the benefit of natural persons, family farm corporations, family farm limited liability agricultural companies or nonprofit corporations; and

(3) if all of the stockholders are natural persons, at least one stockholder must be a person residing on the farm or actively engaged in labor or management of the farming operation. If only one stockholder is meeting the requirement of this provision and such stockholder dies, the requirement of this provision does not apply for the period of time that the stockholder's estate is being administered in any district court in Kansas.

(l) "Trust" means a fiduciary relationship with respect to property, subjecting the person by whom the property is held to equitable duties to deal with the property for the benefit of another person, which arises as a result of a manifestation of an intention to create it. A trust includes a legal entity holding property as trustee, agent, escrow agent, attorney-in-fact and in any similar capacity.

(m) "Family trust" means a trust in which:

(1) A majority of the equitable interest in the trust is held by and the majority of the beneficiaries are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or stepchildren of any such persons, or persons acting in a fiduciary capacity for persons

so related; and

(2) all the beneficiaries are natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations.

(n) "Authorized trust" means a trust other than a family trust in which:

(1) The beneficiaries do not exceed 15 in number;

(2) the beneficiaries are all natural persons, are persons acting in a fiduciary capacity, other than as trustee for a trust, or are nonprofit corporations; and

(3) the gross income thereof is not exempt from taxation under the laws of either the United States or the state of Kansas.

For the purposes of this definition, if one of the beneficiaries dies, and more than one person succeeds, by bequest, to the deceased beneficiary's interest in the trust, all of such persons, collectively, shall be deemed to be one beneficiary, and a husband and wife, and their estates, collectively, shall be deemed to be one beneficiary.

(o) "Testamentary trust" means a trust created by devising or bequeathing property in trust in a will as such terms are used in the Kansas probate code.

(p) "Poultry confinement facility" means the structures and related equipment used for housing, breeding, laying of eggs or feeding of poultry in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined poultry from exposure to disease. As used in this subsection, "poultry" means chickens, turkeys, ducks, geese or other fowl.

(q) "Rabbit confinement facility" means the structures and related equipment used for housing, breeding, raising, feeding or processing of rabbits in a restricted environment. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined rabbits from exposure to disease.

(r) "Swine marketing pool" means an association whose membership includes three or more business entities or individuals formed for the sale of hogs to buyers but shall not include any trust, corporation, limited partnership or corporate partnership, or limited liability company other than a family farm corporation, authorized farm corporation, limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust.

(s) "Swine production facility" means the land, structures and related equipment ~~owned or leased by a corporation or limited liability company and~~ used for housing, breeding, farrowing or feeding of swine. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes in environmentally sound amounts for crop production and to avoid nitrate buildup and for isolation of the facility to reasonably protect the confined animals from exposure to disease.

(t) "Limited liability company" has the meaning provided by K.S.A. 17-7663, and amendments thereto.

(u) "Limited liability agricultural company" means a limited liability company founded for the purpose of farming and ownership of agricultural land in which:

(1) The members do not exceed 10 in number; and

(2) the members are all natural persons, family farm corporations, family farm limited liability agriculture companies, persons acting in a fiduciary capacity for the benefit of natural persons, family farm corporations, family farm limited liability

agricultural companies or nonprofit corporations, or general partnerships other than corporate partnerships formed under the laws of the state of Kansas; and

(3) if all of the members are natural persons, at least one member must be a person residing on the farm or actively engaged in labor or management of the farming operation. If only one member is meeting the requirement of this provision and such member dies, the requirement of this provision does not apply for the period of time that the member's estate is being administered in any district court in Kansas.

(v) "Dairy production facility" means the land, structures and related equipment used for housing, breeding, raising, feeding or milking dairy cows. The term includes within its meaning only such agricultural land as is necessary for proper disposal of liquid and solid wastes and for isolation of the facility to reasonably protect the confined cows from exposure to disease.

(w) "Family farm limited liability agricultural company" means a limited liability company founded for the purpose of farming and ownership of agricultural land in which:

(1) The majority of the members are persons related to each other, all of whom have a common ancestor within the third degree of relationship, by blood or by adoption, or the spouses or the stepchildren of any such persons, or persons acting in a fiduciary capacity for persons so related;

(2) the members are natural persons or persons acting in a fiduciary capacity for the benefit of natural persons; and

(3) at least one of the members is a person residing on the farm or actively engaged in the labor or management of the farming operation. If only one member is meeting the requirement of this provision and such member dies, the requirement of this provision does not apply for the period of time that the member's estate is being administered in any district court in Kansas.

(x) "Hydroponics" means the growing of vegetables, flowers, herbs, or plants used for medicinal purposes, in a growing medium other than soil.

Sec. 2. K.S.A. 17-5904 is hereby amended to read as follows: 17-5904. (a) No corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, family farm limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust shall, either directly or indirectly, own, acquire or otherwise obtain or lease any agricultural land in this state. The restrictions provided in this section do not apply to the following:

(1) A *bona fide* encumbrance taken for purposes of security.

(2) Agricultural land when acquired as a gift, either by grant or devise, by a *bona fide* educational, religious or charitable nonprofit corporation.

(3) Agricultural land acquired by a corporation or a limited liability company in such acreage as is necessary for the operation of a nonfarming business. Such land may not be used for farming except under lease to one or more natural persons, a family farm corporation, authorized farm corporation, family trust, authorized trust or testamentary trust. The corporation shall not engage, either directly or indirectly, in the farming operation and shall not receive any financial benefit, other than rent, from the farming operation.

(4) Agricultural land acquired by a corporation or a limited liability company by process of law in the collection of debts, or pursuant to a contract for deed executed

prior to the effective date of this act, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise, if such corporation divests itself of any such agricultural land within 10 years after such process of law, contract or procedure, except that provisions of K.S.A. 9-1102, and amendments thereto, shall apply to any bank which acquires agricultural land.

(5) A municipal corporation.

(6) Agricultural land which is acquired by a trust company or bank in a fiduciary capacity or as a trustee for a nonprofit corporation.

(7) Agricultural land owned or leased or held under a lease purchase agreement as described in K.S.A. 12-1741, and amendments thereto, by a corporation, corporate partnership, limited corporate partnership or trust on the effective date of this act if: (A) Any such entity owned or leased such agricultural land prior to July 1, 1965, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act; (B) any such entity was in compliance with the provisions of K.S.A. 17-5901, prior to its repeal by this act, provided such entity shall not own or lease any greater acreage of agricultural land than it owned or leased prior to the effective date of this act unless it is in compliance with the provisions of this act, and absence of evidence in the records of the county where such land is located of a judicial determination that such entity violated the provisions of K.S.A. 17-5901, prior to its repeal shall constitute proof that the provisions of this act do not apply to such agricultural land, and that such entity was in compliance with the provisions of K.S.A. 17-5901, prior to its repeal; or (C) any such entity was not in compliance with the provisions of K.S.A. 17-5901, prior to its repeal by this act, but is in compliance with the provisions of this act by July 1, 1991.

(8) Agricultural land held or leased by a corporation or a limited liability company for use as a feedlot, a poultry confinement facility or rabbit confinement facility.

(9) Agricultural land held or leased by a corporation for the purpose of the production of timber, forest products, nursery products or sod.

(10) Agricultural land used for *bona fide* educational research or scientific or experimental farming.

(11) Agricultural land used for the commercial production and conditioning of seed for sale or resale as seed or for the growing of alfalfa by an alfalfa processing entity if such land is located within 30 miles of such entity's plant site.

(12) Agricultural land owned or leased by a corporate partnership or limited corporate partnership in which the partners associated therein are either natural persons, family farm corporations, authorized farm corporations, limited liability agricultural companies, family trusts, authorized trusts or testamentary trusts.

(13) Any corporation, either domestic or foreign, or any limited liability company, organized for coal mining purposes which engages in farming on any tract of land owned by it which has been strip mined for coal.

(14) Agricultural land owned or leased by a limited partnership prior to the effective date of this act.

(15) Except as provided by K.S.A. 17-5908, as it existed before the effective date of this act, and K.S.A. 1998 Supp. 17-5909, agricultural land held or leased by a corporation or a limited liability company for use as a swine production facility in any county which, before the effective date of this act, has voted favorably pursuant to

K.S.A. 17-5908, as it existed before the effective date of this act, either by county resolution or by the electorate.

(16) Agricultural land held or leased by a corporation ~~or trust~~ limited liability company, limited partnership or corporate partnership for use as a swine production facility in any county where the voters, after the effective date of this act, have voted pursuant to K.S.A. 17-5908, and amendments thereto, to allow establishment of swine production facilities within the county.

(17) Agricultural land held or leased by a corporation ~~or a trust~~ limited liability company, limited partnership or corporate partnership for use as a dairy production facility in any county which has voted favorably pursuant to K.S.A. 17-5907 and amendments thereto, either by county resolution or by the electorate.

(18) Agricultural land held or leased by a corporation or a limited liability company used in a hydroponics setting.

(b) Production contracts entered into by a corporation, trust, limited liability company, limited partnership or corporate partnership and a person engaged in farming for the production of agricultural products shall not be construed to mean the ownership, acquisition, obtainment or lease, either directly or indirectly, of any agricultural land in this state.

(c) Any corporation, trust, limited liability company, limited partnership or corporate partnership, other than a family farm corporation, authorized farm corporation, limited liability agricultural company, family farm limited liability agricultural company, limited agricultural partnership, family trust, authorized trust or testamentary trust, violating the provisions of this section shall be subject to a civil penalty of not more than \$50,000 and shall divest itself of any land acquired in violation of this section within one year after judgment is entered in the action. The district courts of this state may prevent and restrain violations of this section through the issuance of an injunction. The attorney general or district or county attorney shall institute suits on behalf of the state to enforce the provisions of this section.

(d) Civil penalties sued for and recovered by the attorney general shall be paid into the state general fund. Civil penalties sued for and recovered by the county attorney or district attorney shall be paid into the general fund of the county where the proceedings were instigated.";

Also on page 1, in line 10, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; also in line 10, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 27, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; in line 28, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership";

On page 2, in line 9, by striking "business"; by striking all in line 10; in line 11, by striking "facility" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; also in line 11, before "own" by inserting ", either directly or indirectly,"; by striking all in line 27; in line 28, by striking all before "be" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 29, before "own" by inserting ", either directly or indirectly,";

On page 3, by striking all in lines 5 through 9;

On page 4, in line 16, before "to" by inserting ", as defined in K.S.A. 17-5903, and

amendments thereto,"; also in line 16, after "county" by inserting "by a corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 32, before "to" by inserting ", as defined in K.S.A. 17-5903, and amendments thereto,"; in line 33, after "county" by inserting "corporation, trust, limited liability company, limited partnership or corporate partnership";

On page 5, in line 4, by striking "business entity not already authorized by Kansas law to form a"; in line 5, by striking "swine production facility" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 6, before "own" by inserting ", either directly or indirectly,"; in line 22, by striking "business entity not"; in line 23, by striking all before "be" and inserting "corporation, trust, limited liability company, limited partnership or corporate partnership"; in line 24, before "own" by inserting ", either directly or indirectly,";

On page 6, by striking all in lines 1 through 5; following line 5, by inserting:

"Sec. 5. K.S.A. 2011 Supp. 79-32,154 is hereby amended to read as follows: 79-32,154. As used in this act, the following words and phrases shall have the meanings respectively ascribed to them herein:

(a) "Facility" shall mean any factory, mill, plant, refinery, warehouse, feedlot, building or complex of buildings located within the state, including the land on which such facility is located and all machinery, equipment and other real and tangible personal property located at or within such facility used in connection with the operation of such facility. The word "building" shall include only structures within which individuals are customarily employed or which are customarily used to house machinery, equipment or other property.

(b) "Qualified business facility" shall mean a facility which satisfies the requirements of paragraphs (1) and (2) of this subsection.

(1) Such facility is employed by the taxpayer in the operation of a revenue producing enterprise, as defined in subsection (c). Such facility shall not be considered a qualified business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of a revenue producing enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of a revenue producing enterprise, the portion employed by the taxpayer in the operation of a revenue producing enterprise shall be considered a qualified business facility, if the requirements of paragraph (2) of this subsection are satisfied.

(2) If such facility was acquired by the taxpayer from another person or persons, such facility was not employed, immediately prior to the transfer of title to such facility to the taxpayer, or to the commencement of the term of the lease of such facility to the taxpayer, by any other person or persons in the operation of a revenue producing enterprise and the taxpayer continues the operation of the same or substantially identical revenue producing enterprise, as defined in subsection (i), at such facility.

(c) "Revenue producing enterprise" shall mean:

(1) The assembly, fabrication, manufacture or processing of any agricultural, mineral or manufactured product;

(2) the storage, warehousing, distribution or sale of any products of agriculture, aquaculture, mining or manufacturing;

(3) the feeding of livestock at a feedlot;

- (4) the operation of laboratories or other facilities for scientific, agricultural, aquacultural, animal husbandry or industrial research, development or testing;
- (5) the performance of services of any type;
- (6) the feeding of aquatic plants and animals at an aquaculture operation;
- (7) the administrative management of any of the foregoing activities; or
- (8) any combination of any of the foregoing activities.

"Revenue producing enterprise" shall not mean a swine production facility as defined in K.S.A. 17-5903, and amendments thereto, that is owned or leased by a corporation or limited liability company.

(d) "Qualified business facility employee" shall mean a person employed by the taxpayer in the operation of a qualified business facility during the taxable year for which the credit allowed by K.S.A. 79-32,153, and amendments thereto, is claimed:

(1) A person shall be deemed to be so engaged if such person performs duties in connection with the operation of the qualified business facility on: (A) A regular, full-time basis; (B) a part-time basis, provided such person is customarily performing such duties at least 20 hours per week throughout the taxable year; or (C) a seasonal basis, provided such person performs such duties for substantially all of the season customary for the position in which such person is employed. The number of qualified business facility employees during any taxable year shall be determined by dividing by 12 the sum of the number of qualified business facility employees on the last business day of each month of such taxable year. If the qualified business facility is in operation for less than the entire taxable year, the number of qualified business facility employees shall be determined by dividing the sum of the number of qualified business facility employees on the last business day of each full calendar month during the portion of such taxable year during which the qualified business facility was in operation by the number of full calendar months during such period. Notwithstanding the provisions of this subsection, for the purpose of computing the credit allowed by K.S.A. 79-32,153, and amendments thereto, in the case of an investment in a qualified business facility, which facility existed and was operated by the taxpayer or related taxpayer prior to such investment, the number of qualified business facility employees employed in the operation of such facility shall be reduced by the average number, computed as provided in this subsection, of individuals employed in the operation of the facility during the taxable year preceding the taxable year in which the qualified business facility investment was made at the facility.

(2) For taxable years commencing after December 31, 1997, in the case of a taxpayer claiming a credit against the premium tax and privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto or the privilege tax as measured by net income of financial institutions imposed pursuant to chapter 79 article 11 of the Kansas Statutes Annotated, "qualified business employee" shall not mean any person who is employed in the operation of a qualified business facility in the state due to the merger, acquisition or other reconfiguration of the taxpayer unless such employee's position represents a net gain of total positions created by the taxpayer and the employee's position was not in existence at the time of the merger acquisition or other reconfiguration of the taxpayer.

(e) "Qualified business facility investment" shall mean the value of the real and tangible personal property, except inventory or property held for sale to customers in the ordinary course of the taxpayer's business, which constitutes the qualified business

facility, or which is used by the taxpayer in the operation of the qualified business facility, during the taxable year for which the credit allowed by K.S.A. 79-32,153, and amendments thereto, is claimed. The value of such property during such taxable year shall be: (1) Its original cost if owned by the taxpayer; or (2) eight times the net annual rental rate, if leased by the taxpayer. The net annual rental rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals. The qualified business facility investment shall be determined by dividing by 12 the sum of the total value of such property on the last business day of each calendar month of the taxable year. If the qualified business facility is in operation for less than an entire taxable year, the qualified business facility investment shall be determined by dividing the sum of the total value of such property on the last business day of each full calendar month during the portion of such taxable year during which the qualified business facility was in operation by the number of full calendar months during such period. Notwithstanding the provisions of this subsection, for the purpose of computing the credit allowed by K.S.A. 79-32,153, and amendments thereto, in the case of an investment in a qualified business facility, which facility existed and was operated by the taxpayer or related taxpayer prior to such investment the amount of the taxpayer's qualified business facility investment in such facility shall be reduced by the average amount, computed as provided in this subsection, of the investment of the taxpayer or a related taxpayer in the facility for the taxable year preceding the taxable year in which the qualified business facility investment was made at the facility.

(f) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the qualified business facility is first available for use by the taxpayer, or first capable of being used by the taxpayer, in the revenue producing enterprise in which the taxpayer intends to use the qualified business facility.

(g) "Qualified business facility income" shall mean the Kansas taxable income derived by the taxpayer from the operation of the qualified business facility. If a taxpayer has income derived from the operation of a qualified business facility as well as from other activities conducted within this state, the Kansas taxable income derived by the taxpayer from the operation of the qualified business facility shall be determined by multiplying the taxpayer's Kansas taxable income by a fraction, the numerator of which is the property factor, as defined in paragraph (1), plus the payroll factor, as defined in paragraph (2), and the denominator of which is two. In the case of financial institutions, the property and payroll factors shall be computed utilizing the specific provisions of the apportionment method applicable to financial institutions, if enacted, and the qualified business facility income shall be based upon net income.

(1) The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in connection with the operation of the qualified business facility during the tax period, and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used in this state during the tax period. The average value of all such property shall be determined as provided in K.S.A. 79-3281 and 79-3282, and amendments thereto.

(2) The payroll factor is a fraction, the numerator of which is the total amount paid during the tax period by the taxpayer for compensation to persons qualifying as qualified business facility employees, as determined under subsection (d), at the qualified business facility, and the denominator of which is the total amount paid in this

state during the tax period by the taxpayer for compensation. The compensation paid in this state shall be determined as provided in K.S.A. 79-3283, and amendments thereto.

The formula set forth in this subsection (g) shall not be used for any purpose other than determining the qualified business facility income attributable to a qualified business facility.

(h) "Related taxpayer" shall mean: (1) A corporation, partnership, trust or association controlled by the taxpayer; (2) an individual, corporation, partnership, trust or association in control of the taxpayer; or (3) a corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. For the purposes of this act, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least 80% of the total combined voting power of all classes of stock entitled to vote and at least 80% of all other classes of stock of the corporation; "control of a partnership or association" shall mean ownership of at least 80% of the capital or profits interest in such partnership or association; and "control of a trust" shall mean ownership, directly or indirectly, of at least 80% of the beneficial interest in the principal or income of such trust.

(i) "Same or substantially identical revenue producing enterprise" shall mean a revenue producing enterprise in which the products produced or sold, services performed or activities conducted are the same in character and use, are produced, sold, performed or conducted in the same manner and to or for the same type of customers as the products, services or activities produced, sold, performed or conducted in another revenue producing enterprise.";

And by renumbering sections accordingly;

Also on page 6, in line 6, after "K.S.A." by inserting "17-5903, 17-5904,"; also in line 6, after "17-5908" by inserting "and K.S.A. 2011 Supp. 79-32,154";

On page 1, in the title, in line 3, after "K.S.A." by inserting "17-5903, 17-5904,"; also in line 3, after "17-5908" by inserting "and K.S.A. 2011 Supp. 79-32,154";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN
RUTH TEICHMAN
MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL
DAN KERSCHEN
JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Powell, the conference committee report on **HB 2502** was adopted.

On roll call, the vote was: Yeas 98; Nays 26; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell,

Huebert, Johnson, Kelley, Kelly, Kerschen, Kleeb, Knox, Landwehr, Lane, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Weber, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Burgess, Burroughs, Davis, Dillmore, Feuerborn, Finney, Flaharty, D. Gatewood, S. Gatewood, Henderson, Kiegerl, Kinzer, Kuether, Mah, McCray-Miller, Pauls, Peterson, Phelps, Rubin, Ruiz, Ryckman, Tyson, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: LeDoux.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2613** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5512 is hereby amended to read as follows: 21-5512. (a) Unlawful sexual relations is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy with a person who is not married to the offender if:

(1) The offender is an employee or volunteer of the department of corrections, or the employee or volunteer of a contractor who is under contract to provide services for a correctional institution, and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is an inmate;

(2) the offender is a parole officer, volunteer for the department of corrections or the employee or volunteer of a contractor who is under contract to provide supervision services for persons on parole, conditional release or postrelease supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is an inmate who has been released on parole, conditional release or postrelease supervision and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is an inmate who has been released and is currently on parole, conditional release or postrelease supervision;

(3) the offender is a law enforcement officer, an employee of a jail, or the employee of a contractor who is under contract to provide services in a jail and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such jail;

(4) the offender is a law enforcement officer, an employee of a juvenile detention facility or sanctions house, or the employee of a contractor who is under contract to provide services in such facility or sanctions house and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such facility or sanctions house;

(5) the offender is an employee of the juvenile justice authority or the employee of a contractor who is under contract to provide services in a juvenile correctional facility and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is confined to such facility;

(6) the offender is an employee of the juvenile justice authority or the employee of a contractor who is under contract to provide direct supervision and offender control services to the juvenile justice authority and:

(A) The person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older and who has been:

(A)(i) Released on conditional release from a juvenile correctional facility under the supervision and control of the juvenile justice authority or juvenile community supervision agency; or

(B)(ii) placed in the custody of the juvenile justice authority under the supervision and control of the juvenile justice authority or juvenile community supervision agency; and

(B) the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under supervision;

(7) the offender is an employee of the department of social and rehabilitation services or the employee of a contractor who is under contract to provide services in a social and rehabilitation services institution or to the department of social and rehabilitation services and the person with whom the offender is engaging in consensual sexual intercourse, ~~not otherwise subject to subsection (a)(2) of K.S.A. 2011 Supp. 21-5503, and amendments thereto,~~ lewd fondling or touching, or sodomy, ~~not otherwise subject to subsection (b)(3)(C) of K.S.A. 2011 Supp. 21-5504, and amendments thereto,~~ is a person 16 years of age or older who is a patient in such institution or in the custody of the secretary of social and rehabilitation services;

(8) the offender is a worker, volunteer or other person in a position of authority in a family foster home licensed by the department of health and environment and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who is a foster child placed in the care of such family foster home;

(8)(9) the offender is a teacher or a ~~other~~ person in a position of authority and the person with whom the offender is engaging in consensual sexual intercourse, ~~not otherwise subject to subsection (a)(3) of K.S.A. 2011 Supp. 21-5503, or subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto,~~ lewd fondling or touching, ~~not otherwise subject to subsection (a) of K.S.A. 2011 Supp. 21-5506, or subsection (b)(2) or (b)(3) of K.S.A. 2011 Supp. 21-5506, and amendments thereto,~~ or sodomy, ~~not otherwise subject to subsection (a) of K.S.A. 2011 Supp. 21-5504, or subsection (b)(1) or (b)(2) of K.S.A. 2011 Supp. 21-5504, and amendments thereto,~~ lewd fondling or touching, or sodomy is a person 16 years of age or older who is a student enrolled at the school where the offender is employed. If the offender is the parent of the student, the provisions of subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto, shall apply, not this subsection;

(9)(10) the offender is a court services officer or the employee of a contractor who

is under contract to provide supervision services for persons under court services supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who has been placed on probation under the supervision and control of court services and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under the supervision of court services; or

~~(10)~~ (11) the offender is a community correctional services officer or the employee of a contractor who is under contract to provide supervision services for persons under community corrections supervision and the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is a person 16 years of age or older who has been assigned to a community correctional services program under the supervision and control of community corrections and the offender has knowledge that the person with whom the offender is engaging in consensual sexual intercourse, lewd fondling or touching, or sodomy is currently under the supervision of community corrections.

(b) Unlawful sexual relations as defined in:

(1) Subsection (a)(5) is a severity level 4, person felony; and

(2) subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), ~~or (a)(10) or (a)(11)~~ is a severity level 5, person felony.

(c) (1) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of K.S.A. 2011 Supp. 21-5503, and amendments thereto, the provisions of K.S.A. 2011 Supp. 21-5503, and amendments thereto, shall apply, not this section.

(2) If an offender violates the provisions of this section by engaging in consensual sexual intercourse which would constitute a violation of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(1) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.

(3) If an offender violates the provisions of this section by engaging in sodomy which would constitute a violation of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, the provisions of subsection (a)(3), (a)(4) or (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, shall apply, not this section.

(4) If an offender violates the provisions of this section by engaging in lewd fondling or touching which would constitute a violation of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, the provisions of subsection (b)(2) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, shall apply, not this section.

~~(e)~~ (d) As used in this section:

(1) "Correctional institution" means the same as in K.S.A. 75-5202, and amendments thereto;

(2) "inmate" means the same as in K.S.A. 75-5202, and amendments thereto;

(3) "parole officer" means the same as in K.S.A. 75-5202, and amendments thereto;

(4) "postrelease supervision" means the same as in K.S.A. 2011 Supp. 21-6803, and amendments thereto;

(5) "juvenile detention facility" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(6) "juvenile correctional facility" means the same as in K.S.A. 2011 Supp. 38-

2302, and amendments thereto;

(7) "sanctions house" means the same as in K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(8) "institution" means the same as in K.S.A. 76-12a01, and amendments thereto;

(9) "teacher" means and includes teachers, coaches, supervisors, principals, superintendents and any other professional employee in any public or private school offering any of grades kindergarten through 12;

(10) "community corrections" means the entity responsible for supervising adults and juvenile offenders for confinement, detention, care or treatment, subject to conditions imposed by the court pursuant to the community corrections act, K.S.A. 75-5290, and amendments thereto, and the revised Kansas juvenile justice code, K.S.A. 2011 Supp. 38-2301 *et seq.*, and amendments thereto;

(11) "court services" means the entity appointed by the district court that is responsible for supervising adults and juveniles placed on probation and misdemeanants placed on parole by district courts of this state; and

(12) "juvenile community supervision agency" means an entity that receives grants for the purpose of providing direct supervision to juveniles in the custody of the juvenile justice authority.";

And by renumbering sections accordingly;

On page 8, in line 25, after "Supp." by inserting "21-5512,";

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to unlawful sexual relations;"; in line 3, after "Supp." by inserting "21-5512,";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

On motion of Rep. Colloton, the conference committee report on **HB 2613** was adopted.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell,

Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: LeDoux.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Hayzlett in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hayzlett, Committee of the Whole report, as follows, was adopted:

Recommended that committee reports to **Sub SB 393** be adopted; also, on motion of Rep. Aurand be amended on page 32, in line 43, before "\$4,200" by inserting "is";

On page 34, in line 13, by striking "25%" and inserting "22.5%"; in line 20, by striking "31%" and inserting "28%"; in line 29, by striking "30%" and inserting "27%"; in line 32, by striking "30%" and inserting "27%";

On page 37, in line 43, by striking "\$420" and inserting "10% of the base state aid per pupil";

On page 38, in line 33, by striking "\$4,433" and inserting "\$4,926";

On page 45, in line 42, by striking "31%" and inserting "28%";

On page 47, in line 26, by striking "31%" and inserting "28%";

Also, on further motion of Rep. Aurand, **Sub SB 393** be amended on page 18, by striking all in lines 32 through 43;

On page 19, by striking all in lines 1 through 16;

On page 21, in line 25, by striking "17" and inserting "16";

On page 27, in line 28, by striking "18" and inserting "17";

On page 28, in line 3, by striking "20" and inserting "19";

And by renumbering sections accordingly;

Also, on further motion of Rep. Aurand, **Sub SB 393** be amended on page 32, in line 43, by striking "\$4,200" and inserting "is \$4,241";

On page 33, in line 1, after "2012-2013" by inserting "and school year 2013-2014 and \$4,492 in school year 2014-2015";

Also, roll call was demanded on motion of Rep. Winn to amend **Sub SB 393**, on page 12, by striking all in lines 35 through 43;

On page 13, by striking all in lines 1 through 14;

On page 14, by striking all in lines 8 through 43;

By striking all on pages 15 through 48;

On page 49, by striking all in lines 1 through 34;

And by renumbering sections accordingly;

On page 52, in line 12, by striking all after "K.S.A."; by striking all in lines 13 through 16; in line 17, by striking all before "are" and inserting:

"72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-4470a, 72-6413, 72-6455 and 72-6459";

On page 1, in the title, in line 4, by striking all following "K.S.A."; by striking all in

lines 5 through 7; in line 8, by striking all before the second "and" and inserting:

"72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201, 72-4470a, 72-6413 and 72-6455";

On roll call, the vote was: Yeas 39; Nays 83; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Billinger, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Otto, Pauls, Peterson, Phelps, Pottorff, Proehl, Roth, Ruiz, Ryckman, Slattery, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Nays: Alford, Arpke, Aurand, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Rhoades, Rubin, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, K. Wolf, Worley.

Present but not voting: None.

Absent or not voting: M. Holmes, Kleeb, LeDoux.

The motion of Rep. Winn did not prevail.

Also, on motion of Rep. Meigs, **Sub SB 393** be amended on page 52, following line 6, by inserting:

"New Sec. 43. (a) As used in this section:

(1) "Authorized to adopt an extracurricular school activities budget" means that a district has adopted a resolution under this section and the resolution was approved at an election thereon.

(2) "District average amount per pupil" means the average amount per pupil for the preceding school year of the combined general fund budget and local option budget of the district as computed by the state board under subsection (g).

(3) "School district" or "district" means a school which has adopted a local option budget not less than 30% of the state financial aid of the district in the current school year and is below the statewide average amount per pupil.

(4) "State board" means the state board of education.

(5) "Statewide average amount per pupil" means the average amount per pupil for the preceding school year of the combined general fund budgets and local option budgets of all districts as computed by the state board under subsection (f).

(b) (1) Each school year, the board of education of any district, by resolution, may adopt an extracurricular school activities budget. Except as provided by subsection (b)(2), an extracurricular school activities budget shall not exceed 2% of the statewide average amount per pupil.

(2) If the sum of the district average amount per pupil and the extracurricular school activities budget as adopted in subsection (b)(1) is an amount greater than the statewide average per pupil, then the extracurricular school activities budget shall be the difference between the statewide average amount per pupil and the district average amount per pupil for such district.

(c) (1) Such resolution shall not be effective unless it is submitted to and approved by a majority of the qualified electors of the school district voting on the question at an election thereon. The resolution submitted to the qualified electors of the school district shall specify the maximum extracurricular school activities budget, which shall not exceed the amount determined in subsection (b). If any district is authorized to adopt an extracurricular school activities budget under this section, but the board of such district chooses, in any school year, not to adopt such a budget or chooses, in any school year, to adopt such budget in an amount less than the amount stated in the resolution, such board of education may so choose. Whenever an initial resolution has been adopted under this subsection, and such resolution specified an amount less than the amount specified in the resolution, the board of the district may adopt one or more subsequent resolutions under the same procedure as provided for the initial resolution and subject to the same conditions, and shall be authorized to increase the amount as specified in any such subsequent resolution. Any amount specified in a subsequent resolution or in subsequent resolutions shall be limited so that the sum of the percentage authorized in the initial resolution and the amount authorized in any subsequent resolution is not in excess of the amount determined in subsection (b). If the resolution is not approved by a majority of the voters voting on the question at the election thereon, no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(2) The authority to adopt an extracurricular school activities budget granted by the resolution to a school district shall expire five years from the date of the election in which the resolution was approved by the majority of the qualified electors of the school district voting on the question at the election thereon. Upon expiration, no school district shall levy a tax under subsection (h) of this section unless a new resolution has been approved at an election in accordance with this subsection.

(d) Any election called pursuant to this section shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto, for the noticing, calling and holding of elections upon the question of issuing bonds under the general bond law. Such election may be conducted in the manner provided by the mail ballot act.

(e) (1) There is hereby established in every district that adopts an extracurricular school activities budget a fund which shall be called an extracurricular school activities fund. The fund shall consist of all amounts deposited therein or credited thereto according to law.

(2) Amounts in the extracurricular school activities fund may be expended for the purpose of funding the cost of providing extracurricular school activities in the district which are voluntary activities sponsored by the school and are not required by state law to be provided in accredited schools. Extracurricular school activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.

(3) Any balance remaining in the extracurricular school activities fund at the end of the school year shall be carried forward into that fund for succeeding school years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the extracurricular school activities budget of such school district, the amounts credited to and the amount on hand in the extracurricular school activities fund, and the amount expended therefrom shall be included in the

annual extracurricular school activities fund budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) Each school year, the state board shall determine the statewide average amount per pupil as follows:

(1) Determine the general fund budgets for all districts for the preceding school year.

(2) Determine the local option budgets for all districts for the preceding school year.

(3) Determine the enrollment of pupils in all districts for the preceding school year.

(4) Divide the sum of paragraphs (1) and (2) by paragraph (3). The result is the statewide average amount per pupil.

(g) Each school year for a district, the state board shall determine the district average amount per pupil as follows:

(1) Determine the general fund budget for the district for the preceding school year.

(2) Determine the local option budget for the district for the preceding school year.

(3) Determine the enrollment of pupils in the district for the preceding school year.

(4) Divide the sum of paragraphs (1) and (2) by paragraph (3). The result is the district average amount per pupil for such district.

(h) (1) The board of a district that has adopted an extracurricular school activities budget may levy an *ad valorem* tax on the taxable tangible property of the district for the purpose of financing that portion of the district's extracurricular school activities budget which is not financed from any other source provided by law and for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district.

(2) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purposes of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the district, shall be deposited in the extracurricular school activities fund of the district.";

And by renumbering sections accordingly;

Also, roll call was demanded on motion of Rep. Smith to amend **Sub SB 393** on page 52, following line 6, by inserting:

"Sec. 43. K.S.A. 2011 Supp. 72-64b01 is hereby amended to read as follows: 72-64b01. (a) No school district shall expend, use or transfer any moneys from the general fund or supplemental general fund of the district for the purpose of engaging in or supporting in any manner any litigation by the school district or any person, association, corporation or other entity against the state of Kansas, the state board of education, the state department of education, other state agency or any state officer or employee regarding the school district finance and quality performance act or any other law concerning school finance. No such moneys shall be paid, donated or otherwise provided to any person, association, corporation or other entity and used for the purpose of any such litigation.

(b) ~~Nothing in K.S.A. 72-6433 or this section, and amendments thereto, shall be construed as prohibiting the expenditure, use or transfer of moneys from the~~

supplemental general fund Any moneys received by a school district under K.S.A. 72-8210, and amendments thereto, may be expended for the purposes specified in subsection (a).";

And by renumbering sections accordingly;

Also on page 52, in line 16, after "72-6459," by inserting "72-64b01,";

On page 1, in the title, in line 7, after "72-6456," by inserting "72-64b01,";

On roll call, the vote was: Yeas 75; Nays 37; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Arpke, Aurand, Boman, Brown, Bruchman, Brunk, Burgess, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf, Worley.

Nays: Ballard, Bethell, Billinger, Bollier, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Kuether, Loganbill, Mah, McCray-Miller, Meier, Pauls, Peterson, Phelps, Ruiz, Slattery, Spalding, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Bowers, Brookens, Calloway, Colloton, Hineman, Lane, LeDoux, Moxley, Roth, Schroeder, Shultz, Sloan, K. Wolf.

The motion or Rep. Smith prevailed.

Also, on motion of Rep. Seiwert, **Sub SB 393** be amended on page 52, following line 6, by inserting:

"New Sec. 43. (a) For the tax years commencing after December 31, 2012, each Kansas state individual income tax return form shall contain a designation as follows:

Unified School District Contribution Program. Check if you wish to donate, in addition to your tax liability, or designate from your refund, ___\$1, ___\$5, ___\$10, or \$_____ to unified school district No. _____.

(b) The director of taxation of the department of revenue shall determine annually the total amount designated for contribution to the unified school district contribution program pursuant to subsection (a) and shall report such amount to the state treasurer who shall credit the entire amount thereof to the unified school district contribution program check-off fund which is hereby established in the state treasury. Such funds shall be administered by the department of education to be provided to the unified school district designated by the taxpayer, and such funds shall be treated as a donation by the unified school district in accordance with K.S.A. 72-8210, and amendments thereto. The director shall remit the entire amount thereof to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of such fund. All moneys deposited in such fund shall be used for the purpose of financing education in the unified school district of the taxpayer's choice. All expenditures from such fund shall be made in accordance with appropriation acts upon

warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of education.";

And by renumbering sections accordingly;

Also, on motion of Rep. O'Hara to amend **Sub SB 393**, Rep. Goico requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment germane. The question reverted back to the motion to amend by Rep. O'Hara, which did not prevail.

Also, on motion of Rep. Meier, SB 393 be amended on page 52, following line 6, by inserting:

"Sec. 43. K.S.A. 2011 Supp. 76-729 is hereby amended to read as follows: 76-729.

(a) (1) Persons enrolling at the state educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes. A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 60 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.

(2) The provisions of this subsection shall be applicable to any person enrolling at a state educational institution from and after July 1, 2006. Any person who (A) qualifies as a resident of the state of Kansas for fee purposes under the provisions of this subsection, (B) attended a state educational institution during academic year 2006-2007 and (C) paid fees as if such person was not a resident of the state of Kansas, may apply to such state educational institution to be reimbursed in an amount equal to the difference between the amount the person paid in fees and the amount the person would have paid if such person had been treated as a resident of the state of Kansas. Such reimbursement shall be paid by the state educational institution at which such person was enrolled during academic year 2006-2007.

(3) The provisions of this subsection shall not apply to a person who is deemed a resident for fee purposes pursuant to K.S.A. 2011 Supp. 76-731a, and amendments thereto.

(b) The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees:

(1) Persons who are employees of a state educational institution;

(2) ~~persons who are in military service;~~

~~(3) persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within 30 days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not timely enough established to meet the residence duration requirement of subsection (a);~~

~~(4) persons having special domestic relations circumstances;~~

~~(5)~~(3) persons who have lost their resident status within six months of enrollment;

~~(6)~~(4) persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the state board of education within six months of enrollment, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who are entitled to admission at a state educational institution pursuant to K.S.A. 72-116, and amendments thereto;

~~(7)~~(5) persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of subsection (a), and who are not otherwise eligible for authorization to pay an amount equal to resident fees under this subsection; and

~~(8)~~(6) persons who have graduated from a high school accredited by the state board of education within six months of enrollment and who, at the time of graduation from such a high school or while enrolled and in attendance at such a high school prior to graduation therefrom, were dependents of a person in military service within the state; if the person, whose dependent is eligible for authorization to pay an amount equal to resident fees under this provision, does not establish domiciliary residence in the state upon retirement from military service, eligibility of the dependent for authorization to pay an amount equal to resident fees shall lapse; and

~~(9) persons who have retired or have been honorably discharged from military service, had a permanent change of station order for active duty in Kansas during such military service and live in Kansas at the time of enrollment.~~

(c) (1) The state board of regents shall authorize the following class of persons to pay an amount equal to resident fees:

(A) Persons who are in military service;

(B) persons who are domiciliary residents of the state at the time of enrollment, were in active military service for a period of not less than 36 months prior to becoming domiciliary residents of the state and have been discharged or retired from military service under honorable conditions; and

(C) any dependent or spouse of a person in military service who is reassigned from Kansas to another duty station so long as such dependent or spouse continues to reside in Kansas.

(2) So long as a person dependent or spouse of a person in military service, as described in paragraph (1) of this subsection, remains continuously enrolled, exclusive of summer sessions, a person who qualifies to pay resident fees by virtue of being a spouse or dependent of a person in military service shall not lose such status because of a divorce or the death of a spouse.

(d) As used in this section:

(1) "Parents" means and includes natural parents, adoptive parents, stepparents, guardians and custodians.

(2) "Guardian" has the meaning ~~ascribed thereto by~~ provided by K.S.A. 59-3051, and amendments thereto.

(3) "Custodian" means a person, agency or association granted legal custody of a minor under the revised Kansas code for care of children.

(4) "Domiciliary resident" means a person who has present and fixed residence in

Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.

(5) "Full-time employment" means employment requiring at least 1,500 hours of work per year.

(6) "Dependent" means: (A) A birth child, adopted child or stepchild; or

(B) any child other than the foregoing who is actually dependent in whole or in part on the person in military service and who is related to such individual by marriage or consanguinity.

(7) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.

(8) "Academic year" means the twelve-month period ending June 30.";

And by renumbering sections accordingly;

Also on page 52, in line 17, by striking "and" and inserting a comma; also in line 17, following "75-2319" by inserting "and 76-729";

On page 1, in the title, in line 8, by striking the first "and" and inserting a comma; also in line 8, following "75-2319" by inserting "and 76-729"; and **Sub SB 393** be passed as amended.

Committee report recommending a substitute bill to **H Sub for SB 102** be adopted; also, on motion of Rep. Kinzer to amend, the motion did not prevail. Also, on motion of Rep. Brunk to amend, the motion did not prevail. Also, on motion of Rep. O'Brien to amend, the motion did not prevail. Also, on motion of Rep. Davis to amend, the motion did not prevail; and **H Sub for SB 102** be passed.

On motion of Rep. Sloan to refer **HR 6032** to Committee on Energy and Utilities, the motion did not prevail, and the resolution be adopted.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 175, by Representative Goico, commending The Salvation Army in recognition for their Supportive Services for Veteran Families program;

Request No. 176, by Representative Gregory, congratulating Baldwin City High School Real World Design Team for being named 2012 National Champions in Real World Design Challenge for aviation.

Request No. 177, by Representative Grant, congratulating Mike Watt on reaching his 500th win as Head Coach of the St. Mary's Colgan Panthers Baseball Team;

Request No. 178, by Representative Meier, congratulating the Leavenworth High School Girls' Powerlifting Team for excelling in team and individual awards at the 29th Annual NASA High School Powerlifting National Championships;

Request No. 179, by Representative Grant, congratulating Chuck Smith on winning 300 games as St. Marys Colgan High School head football coach and becoming the 6th member of the 300-win coaching club in Kansas high school football;

Request No. 180, by Representative Wolfe Moore, congratulating Carol Marinovich on receiving the Liberty Bell Award;

Request No. 181, by Representative Frownfelter, congratulating Helen Windhorst on Teacher of the Year for USD 500 and for her exemplary contributions to the students of the district and the state of Kansas;

Request No. 182, by Representatives Ruiz and Frownfelter, congratulating Steve Howard on Teacher of the Year and for his exemplary contributions to S USD 500 School District, the students of the district and the state of Kansas.

Request No. 183, by Representatives O'Brien and Donohoe congratulating Basehor-Linwood High School as the 2012 Class 4A Boys Basketball State Champions 2012;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Siegfroid, the committee report was adopted.

Upon unanimous consent, the House returned to the regular order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

HB 2797, AN ACT concerning the Kansas restraint of trade act, by Committee on Appropriations.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 207**.

The Senate adopts the Conference Committee report on **SB 300**.

The Senate adopts the Conference Committee report to agree to disagree on **S Sub for HB 2157**, and has appointed Senators **Donovan, Apple** and **Holland** as 2nd conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **S Sub for Sub HB 2318**.

The Senate adopts the Conference Committee report on **S Sub for HB 2730**.

The Senate concurs in House amendments to **SB 211**, and requests return of the bill.

The Senate nonconcur in House amendments to **H Sub for Sub SB 39** requests a conference and has appointed Senators **Owens, King** and **Haley** as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 314** requests a conference and has appointed Senators **Ostmeyer, McGinn** and **Francisco** as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2729** and has appointed Senators **Brungardt, Reitz** and **Francisco** as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 39**.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as conferees on the part of the House.

On motion of Rep. Siegfroid, the House acceded to the request of the Senate for a conference on **SB 314**.

Speaker O'Neal thereupon appointed Reps. Powell, Kerschen and Williams as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Siegfried, pursuant to House Rule 2311, **H Sub for SB 102** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 102, AN ACT concerning reapportionment; relating to state legislative districts and state board of education member districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-3,731, 4-3,732, 4-3,733, 4-3,734, 4-3,735, 4-3,736, 4-3,737, 4-3,738, 4-3,739, 4-3,740, 4-3,741, 4-3,742, 4-3,743, 4-3,744, 4-3,745, 4-3,746, 4-3,747, 4-3,748, 4-3,749, 4-3,750, 4-3,751, 4-3,752, 4-3,753, 4-3,754, 4-3,755, 4-3,756, 4-3,757, 4-3,758, 4-3,759, 4-3,760, 4-3,761, 4-3,762, 4-3,763, 4-3,764, 4-3,765, 4-3,766, 4-3,767, 4-3,768, 4-3,769, 4-3,770, 4-3,771, 4-3,772, 4-3,773, 4-3,774, 4-3,775, 4-3,776, 4-3,777, 4-3,778, 4-3,779, 4-3,780, 4-3,781, 4-3,782, 4-3,783, 4-3,784, 4-3,785, 4-3,786, 4-3,787, 4-3,788, 4-3,789, 4-3,790, 4-3,791, 4-3,792, 4-3,793, 4-3,794, 4-3,795, 4-3,796, 4-3,797, 4-3,798, 4-3,799, 4-3,800, 4-3,801, 4-3,802, 4-3,803, 4-3,804, 4-3,805, 4-3,806, 4-3,807, 4-3,808, 4-3,809, 4-3,810, 4-3,811, 4-3,812, 4-3,813, 4-3,814, 4-3,815, 4-3,816, 4-3,817, 4-3,818, 4-3,819, 4-3,820, 4-3,821, 4-3,822, 4-3,823, 4-3,824, 4-3,825, 4-3,826, 4-3,827, 4-3,828, 4-3,829, 4-3,830, 4-3,831, 4-3,832, 4-3,833, 4-3,834, 4-3,835, 4-3,836, 4-3,837, 4-3,838, 4-3,839, 4-3,840, 4-3,841, 4-3,842, 4-3,843, 4-3,844, 4-3,845, 4-3,846, 4-3,847, 4-3,848, 4-3,849, 4-3,850, 4-3,851, 4-3,852, 4-3,853, 4-3,854, 4-3,855, 4-3,856, 4-3,857, 4-3,858, 4-4,451, 4-4,452, 4-4,453, 4-4,454, 4-4,455, 4-4,456, 4-4,457, 4-4,458, 4-4,459, 4-4,460, 4-4,461, 4-4,462, 4-4,463, 4-4,464, 4-4,465, 4-4,466, 4-4,467, 4-4,468, 4-4,469, 4-4,470, 4-4,471, 4-4,472, 4-4,473, 4-4,474, 4-4,475, 4-4,476, 4-4,477, 4-4,478, 4-4,479, 4-4,480, 4-4,481, 4-4,482, 4-4,483, 4-4,484, 4-4,485, 4-4,486, 4-4,487, 4-4,488, 4-4,489, 4-4,490, 4-4,491, 4-4,492, 4-4,493, 4-514, 4-515, 4-516, 4-517, 4-518, 4-519, 4-520, 4-521, 4-522, 4-523, 4-524 and 4-525, was considered on final action.

On roll call, the vote was: Yeas 67; Nays 50; Present but not voting: 3; Absent or not voting: 5.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Brunk, Calloway, Carlson, Cassidy, Crum, DeGraaf, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Mast, McLeland, Mesa, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Peterson, Phillips, Powell, Prescott, Proehl, Rubin, Ryckman, Scapa, Schwab, Schwartz, Shultz, Siegfried, Smith, Suellentrop, Swanson, Tyson, Vickrey, Weber, B. Wolf.

Nays: Ballard, Bollier, Brookens, Bruchman, Burgess, Burroughs, Carlin, Colloton, Davis, Denning, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Grant, Grosserode, Henderson, Henry, Hill, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Meigs, Montgomery, Moxley, Pauls, Phelps, Pottorff, Rhoades, Roth, Ruiz, Schroeder, Slattery, Spalding, Tietze, Trimmer, Victors, Ward, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: Bethell, Hineman, Sloan.

Absent or not voting: Collins, Kleeb, Landwehr, LeDoux, Seiwert.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **H Sub for SB 102**. I respect the right of the Senate to draw its own map. – PAT COLLOTON, JO ANN POTTORFF

MR. SPEAKER: It is truly unfortunate that political circumstances have led to bitter divisions in the Kansas Senate which have complicated their redistricting process. However, longstanding tradition holds that the Senate draws their map and the House draws its map. It is neither proper nor productive for those of us in the House to insert ourselves into that internal squabble. We vote NO on **H Sub for SB 102**. – J. ROBERT BROOKENS, CHARLES B. ROTH

MR. SPEAKER: I vote yes on **H Sub for SB 102**. Redistricting is our constitutional responsibility as legislators. **H Sub for SB 102** provides Kansans with the proper and fair representation that they deserve. – GREG SMITH, TOM ARPKE

MR. SPEAKER: I vote no on **H Sub for SB 102**. Johnson County has seen the largest population growth over the last decade and added two full House and two partially new districts in the state House district map. We need a map that will support the growing population by adding a new Senate seat in Johnson County. According to the 2010 census, Johnson County has a population 544,179 which should translate into nearly eight senate districts. **H Sub for SB 102** does not shift a new seat to the county for the needed level of representation which is why I cannot support this map. – KELLY MEIGS, MIKE SLATTERY, KAY WOLF, AMANDA GROSSERODE, JIM DENNING, ROBERT MONTGOMERY, SHERYL SPALDING, RON WORLEY

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Speaker O'Neal announced the referral of the following bill to committee as indicated:

Judiciary: **HB 2797**.

REPORT ON ENGROSSED BILLS

S Sub for HB 2596 reported correctly engrossed May 10, 2012.

S Sub for HB 2117; S Sub for HB 2313 reported correctly re-engrossed May 10, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Friday, May 11, 2012.

Journal of the House

SIXTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 11, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 123 members present.

Rep. LeDoux was excused on verified illness.

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

Rep. Sloan was excused later in the day on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Steve Vaughn, Senior Pastor, Fairlawn Nazarene Church, and Chaplain of the Topeka Fire Department:

Eternal and dependable Creator of the universe, we acknowledge you as the giver of every good and perfect gift.

You are a solid rock; you give us strength. Thank you for the seasons and climates, for sowing and reaping, for color and fragrance. Thank you for the time of harvest when our labors and dreams are rewarded.

Today, bless our lawmakers. Illuminate their lives to keep them on the right paths. May the creative power of your word produce in them a stronger faith and a resolution of hope.

Keep them from discouragement; fill them with wisdom as you show them your unfailing love. Give them an attitude of openness to receive the fullness of your grace and truth.

I pray in your precious name. Amen.

The Pledge of Allegiance was led by Rep. Pottorff.

PRESENTATION OF PETITIONS

The following petition was presented and filed:

HP 2001, A Petition opposing the movement called “uncorkkansas” and any kind of legislation to allow sales of alcoholic beverages in convenience stores or market, signed by Pastor Richard Haley and 28 other members of the Riverside Baptist Church in Hutchinson, Kansas.

MESSAGE FROM THE GOVERNOR

S Sub for HB 2454; HB 2655 approved on May 10, 2012.

COMMUNICATIONS FROM STATE OFFICERS

From William V. Minner, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004 (13), Annual Report Fiscal Year 2011.

From Richard Petersen-Klein, Executive Director, Kansas Racing and Gaming Commission, 2011 Annual Report.

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2157; HB 2464, HB 2503; Sub HB 2689; H Sub for SB 287**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HR 6032, opposing and exposing the radical nature of United Nations Agenda 21 and its destructiveness to the principles of the founding documents of the United States of America, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 76; Nays 41; Present but not voting: 6; Absent or not voting: 2.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Denning, Donohoe, Fawcett, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Suellentrop, Tyson, Vickrey, Wetta, Williams, B. Wolf.

Nays: Ballard, Bollier, Brookens, Burgess, Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Johnson, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Pauls, Peterson, Phelps, Phillips, Roth, Ruiz, Slattery, Sloan, Swanson, Tietze, Trimmer, Victors, Ward, Winn, Wolfe Moore, Worley.

Present but not voting: Bethell, Colloton, Moxley, Pottorff, Spalding, K. Wolf.

Absent or not voting: LeDoux, Weber.

The resolution was adopted.

SB 393, AN ACT concerning education; amending K.S.A. 72-1412, 72-4417, 72-4419, 72-6444, 72-9004, 72-9005 and K.S.A. 2011 Supp. 71-201, 72-978, 72-4470a, 72-5413, 72-6409, 72-6410, 72-6413, 72-6415b, 72-6433, 72-6433d, 72-6434, 72-6435, 72-6441, 72-6449, 72-6451, 72-6455, 72-6456, 72-8814, 72-9002, 72-9003, 72-9608 and 75-2319 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-

6459, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Kelley, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Peck, Phillips, Powell, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, B. Wolf, K. Wolf, Worley.

Nays: Ballard, Billinger, Burroughs, Carlin, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Henderson, Henry, Kuether, Lane, Loganbill, Mah, McCray-Miller, Meier, Patton, Pauls, Peterson, Phelps, Pottorff, Prescott, Ruiz, Slattery, Tietze, Trimmer, Tyson, Victors, Ward, Wetta, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Weber.

The substitute bill passed, as amended.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 148** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Substitute for Senate Bill No. 148 (Corrected), as follows:

On page 2, in line 20, after the period by inserting "The chief engineer may reduce this required offset based on the estimated use of groundwater by the existing vegetation."; in line 29, after "of" by inserting "sand and gravel"; in line 30, after "by" by inserting "K.S.A."; also in line 30, after "82a-708b" by inserting ", and amendments thereto."; in line 33, by striking all after "(3)"; by striking all in lines 34 through 38 and inserting "If a permit is denied, the chief engineer shall set forth all reasons for such denial.";

On page 3, in line 2, by striking the second "K.S.A.";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL

DAN KERSCHEN

Jerry Williams

Conferees on part of House

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Powell, the conference committee report on **H Sub for Sub SB 148** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 287** submits the following report:

The Senate accedes to all House amendments to the bill and your committee on conference further agrees to amend the bill, as printed as House Substitute for Senate Bill No. 287 as follows:

On page 4, in line 2, after "administrator" by inserting "and approved by the governor"; in line 4, by striking "geographic"; by striking all in lines 5 through 7 and inserting "The administrator's salary schedule for unclassified positions shall be reported to the credit union council annually."; in line 19, by striking the second "and" and inserting a comma; in line 20, before the period by inserting "and shall receive compensation in accordance with an equitable salary schedule established by the administrator and approved by the governor for all unclassified positions"; in line 25, by striking "geographic";

On page 6, following line 13, by inserting the following:

"Sec. 4. K.S.A. 2011 Supp. 9-508 is hereby amended to read as follows: 9-508. As used in this act:

(a) "Agent" means an entity or person designated by the licensee, or by an exempt entity, to engage in the business of transmitting money on behalf of the licensee, or an exempt entity, at one or more physical locations throughout the state or through the internet;

~~(a)~~(b) "commissioner" means the state bank commissioner;

~~(b)~~(c) "electronic instrument" means a card or other tangible object for the transmission or payment of money, including a stored value card or device which

contains a microprocessor chip, magnetic stripe or other means for the storage of information, that is prefunded and for which the value is decremented upon each use, but does not include a card or other tangible object that is redeemable by the issuer in goods or services;

~~(e)~~(d) "monetary value" means a medium of exchange, whether or not redeemable in money;

~~(d)~~(c) "money transmission" means to engage in the business of the sale or issuance of payment instruments or of receiving money or monetary value for transmission to a location within or outside the United States by wire, facsimile, electronic means or any other means;

~~(e)~~(f) "outstanding payment instrument" means any payment instrument issued by the licensee which has been sold in the United States directly by the licensee or any money order or instrument issued by the licensee which has been sold by an agent of the licensee in the United States, which has been reported to the licensee as having been sold and which has not yet been paid by or for the licensee;

~~(f)~~(g) "payment instrument" means any electronic or written check, draft, money order, travelers check or other electronic or written instrument or order for the transmission or payment of money, sold or issued to one or more persons, whether or not such instrument is negotiable. The term "payment instrument" does not include any credit card voucher, any letter of credit or any instrument which is redeemable by the issuer in goods or services;

~~(g)~~(h) "permissible investments" means:

- (1) Cash;
- ~~(2) certificates of deposit or other debt obligations of a financial institution, either domestic or foreign;~~
- ~~(3) bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances, which are eligible for purchase by member banks of the federal reserve system;~~

~~(4) any investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates such securities;~~

~~(5) investment securities that are obligations of the United States, its agencies or instrumentalities, or obligations that are guaranteed fully as to principal and interest of the United States, or any general obligations of any state, municipality or any political subdivision thereof;~~

~~(6) deposits in a demand or interest bearing account with a domestic federally insured depository institution, including certificates of deposit;~~

~~(3) debt obligations of a domestic federally insured depository institution;~~

~~(4) any investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates such securities;~~

~~(5) investment grade bonds and other legally created general obligations of a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States;~~

~~(6) obligations that a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States has unconditionally agreed to purchase, insure or guarantee and that bear a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities;~~

~~(7) shares in a money market mutual fund, interest-bearing bills or notes or bonds,~~

debentures or stock traded on any national securities exchange or on a national over-the-counter market, or mutual funds primarily composed of such securities or a fund composed of one or more permissible investments as set forth herein;

~~(7) any demand borrowing agreement or agreements made to a corporation or a subsidiary of a corporation whose capital stock is listed on a national exchange;~~

(8) receivables which are due to a licensee from its authorized such licensee's agents pursuant to a contract, which are not past due or doubtful of collection and which do not exceed in the aggregate 20% of the total required permissible investments pursuant to K.S.A. 9-513b, and amendments thereto; or

(9) any other investment or security device approved by the commissioner.

~~(h)(i)~~ (i) "Person" means any individual, partnership, association, joint-stock association, trust, corporation or any other form of business enterprise ~~authorized to do business in this state; and~~

~~(h)(j)~~ (j) "stored value" means monetary value that is evidenced by an electronic record.

Sec. 5. K.S.A. 2011 Supp. 9-509 is hereby amended to read as follows: 9-509. (a) No person shall engage in the business of selling, issuing or delivering its payment instrument, check, draft, money order, personal money order, bill of exchange, evidence of indebtedness or other instrument for the transmission or payment of money or otherwise engage in the business of money transmission with a resident of this state, or, except as provided in K.S.A. 9-510, and amendments thereto, act as agent for another in the transmission of money as a service or for a fee or other consideration, unless such person obtains a license from the commissioner.

~~(b)(1)~~ (1) An application for a license shall be submitted on forms prescribed by the commissioner. The application shall be accompanied by an application fee as established by rules and regulations adopted by the commissioner in the form and manner prescribed by the commissioner. The application shall be accompanied by nonrefundable fees established by the commissioner for the license and each agent location. Such fees shall be due annually on July 1. A license shall be renewed by filing with the commissioner a complete application and nonrefundable application fees at least 30 days prior to expiration of the license as reflected on the face of the license certificate. The commissioner shall determine the amount of such fees to provide sufficient funds to meet the budget requirements of administering and enforcing the act for each fiscal year. For the purposes of this subsection, "each agent location" means each physical location within the state where money transmission is conducted, including, but not limited to, branch offices, authorized vendor offices, delegate offices, kiosks and drop boxes.

(2) The commissioner may require fingerprinting of any individual, officer, director, partner, member, shareholder or any other person related to the application deemed necessary by the commissioner. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license, or in the case of an applicant company, the persons

associated with the company. Whenever the commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application. If the applicant is a publicly traded corporation or a subsidiary of a publicly traded corporation, no fingerprint check shall be required.

(3) In addition, each person submitting an application shall meet the following requirements:

~~(1)(A)~~ The net worth of such person shall be at all times not less than \$250,000, as shown by an audited financial statement and certified to by an owner, a partner or officer of the corporation or other entity ~~in a form prescribed by the commissioner and filed in the commissioner's office~~ filed in the form and manner prescribed by the commissioner. The commissioner may require any person to file a statement at any other time upon request;

~~(2)(B)~~ such person shall deposit and at all times keep on deposit with the state treasurer, or a bank in this state approved by the commissioner, cash or securities satisfactory to the commissioner in an amount not less than \$200,000. The commissioner may increase the amount of cash or securities required up to a maximum of \$500,000 upon the basis of the impaired financial condition of a person, as evidenced by a reduction in net worth, financial losses or other relevant criteria as determined by the commissioner;

~~(3)(C)~~ in lieu of the deposit of cash or securities required by paragraph ~~(2)(B)~~, such person may give a surety bond in an amount equal to that required for the deposit of cash or securities, in a form satisfactory to the commissioner and issued by a company authorized to do business in this state, which bond shall be payable to the office of the state bank commissioner and be filed with the commissioner. ~~The deposit of cash or securities or surety bond shall be for the protection and benefit of purchasers of money transmission services, purchasers or holders of payment instruments furnished by such person or for the protection of those for whom such person has agreed to act as agent in the transmission of monetary value and to secure the faithful performance of the obligations of such person in respect to the receipt, handling, transmission and payment of monetary value. The aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the amount of such bond. The surety on the bond shall have the right to cancel such bond upon giving 30 days' notice to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of the cancellation. The commissioner or any aggrieved party may enforce claims against such deposit of cash or securities or surety bond. So long as the depositing person is not in violation of this act, such person shall be permitted to receive all interest and dividends on the deposit and shall have the right to substitute other securities satisfactory to the commissioner. If the deposit is made with a bank, any custodial fees shall be paid by such person; and~~

~~(4)(D)~~ such person shall submit a list to the commissioner of the names and addresses of other persons who are authorized to act as ~~selling~~ agents for transactions with Kansas residents.

~~(c)~~ The commissioner shall have the authority to examine the books and records of any person operating in accordance with the provisions of this act at such person's expense to verify compliance with state and federal law deposit of cash, securities or surety bond required by this section shall be subject to:

(1) Payment to the commissioner for the protection and benefit of purchasers of

money transmission services, purchasers or holders of payment instruments furnished by such person, and those for whom such person has agreed to act as agent in transmission of monetary value and to secure the faithful performance of the obligations of such person in respect to the receipt, handling, transmission and payment of monetary value; and

(2) payment to the commissioner for satisfaction of any expenses, fines, fees or refunds due pursuant to this act, levied by the commissioner or that become lawfully due pursuant to a final judgment or order.

(d) The aggregate liability of the surety for all breaches of the conditions of the bond, in no event, shall exceed the amount of such bond. The surety on the bond shall have the right to cancel such bond upon giving 30 days notice to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of the cancellation. The commissioner or any aggrieved party may enforce claims against such deposit of cash or securities or surety bond. So long as the depositing person is not in violation of this act, such person shall be permitted to receive all interest and dividends on the deposit and shall have the right to substitute other securities satisfactory to the commissioner. If the deposit is made with a bank, any custodial fees shall be paid by such person.

(e) (1) The commissioner shall have the authority to examine the books and records of any person operating in accordance with the provisions of this act, at such person's expense, to verify compliance with state and federal law.

(2) For purposes of investigation, examination or other proceeding under this act, the commissioner may administer or cause to be administered oaths, subpoena witnesses and documents, compel the attendance of witnesses, take evidence and require the production of any document that the commissioner determines to be relevant to the inquiry.

Sec. 6. K.S.A. 2011 Supp. 9-510 is hereby amended to read as follows: 9-510. ~~Any person complying with the provisions of this act may engage in such business. A licensee may engage in the business of money transmission~~ at one or more locations in this state and through or by means of such agents as such person may designate and appoint from time to time. A verified list of agents shall be furnished annually to the commissioner by persons operating hereunder, on a date prescribed by the commissioner. No such agent shall be required to comply with the licensing provisions of this act.

Sec. 7. K.S.A. 2011 Supp. 9-511 is hereby amended to read as follows: 9-511. ~~This act shall not apply to banks, building and loan associations, savings and loan associations, savings banks or credit unions organized under the laws of and subject to the supervision of this state, another state or the United States, or to the government of the United States and its agencies, or to the state of Kansas and its agencies. This act also shall not apply to the distribution, transmission or payment of money as a part of the lawful practice of law, bookkeeping, accounting or real estate sales or brokerage or as an incidental and necessary part of any lawful business activity. This act shall not apply to:~~

(a) (1) Banks, building and loan associations, savings and loan associations, savings banks or credit unions, including agents of any of these business entities, organized under the laws of and subject to the supervision of this state, another state or the United States;

(2) the government of the United States and its agencies, including agents of the government and its agencies; or

(3) the state of Kansas and its agencies, including agents of the state of Kansas and its agencies.

(b) This act also shall not apply to the distribution, transmission or payment of money as a part of the lawful practice of law, bookkeeping, accounting or real estate sales or brokerage or as an incidental and necessary part of any lawful business activity.

Sec. 8. K.S.A. 2011 Supp. 9-512 is hereby amended to read as follows: 9-512. (a) The commissioner, after notice and an opportunity for hearing, may issue an order to address any violation of this act:

(1) Assessing a fine against any person who violates this act, or rules and regulations adopted thereto, in an amount not to exceed \$5,000 per violation;

(2) assessing the agency's operating costs and expenses for investigating and enforcing this act;

(3) requiring the person to pay restitution for any loss arising from the violation or requiring the person to disgorge any profits arising from the violation;

(4) barring the person from future application for licensure pursuant to the act; and

(5) requiring such affirmative action as in the judgment of the commissioner which will carry out the purposes of this act.

(b) The commissioner may enter into a consent order at any time with a person to resolve a matter arising under this act, rules and regulations adopted thereto, or an order issued pursuant to this act.

(c) Any person who knowingly violates any provision of this act shall be guilty of a severity level 9, nonperson felony. Each transaction in violation of this act and each day that a violation continues shall be a separate offense except that whenever a corporation shall violate any provision of this act, such violation shall be deemed to be also that of the. Whenever a corporation violates any provision of this act, such violation shall be attributed to individual directors, officers; and agents of such corporation who shall have authorized, ordered; or ~~done~~ performed any of the acts constituting such violation in whole or in part.

(b)(d) A corporation and its directors, officers; and agents may each be prosecuted separately for violations of this act and the acquittal or conviction of one such director, officer or agent shall not abate the prosecution of the others.

(e)(c) Violations of this act also may be enjoined or the violators ousted from continuing such violations by proceedings brought by the county attorney of the proper county or by the attorney general, regardless of whether or not criminal proceedings have been instituted. Whenever it appears that a person has violated, or is likely to violate, this act, rules and regulations adopted thereunder, or an order issued pursuant to this act, then the commissioner may bring an action for injunctive relief to enjoin the violation or enforce compliance, regardless of whether or not criminal proceedings have been instituted. Any person who engages in activities that are regulated and require a license under this act shall be considered to have consented to the jurisdiction of the courts of this state for all actions arising under this act.

Sec. 9. K.S.A. 2011 Supp. 9-513 is hereby amended to read as follows: 9-513. (a) ~~If any sentence, clause, provision or section of this act or the applicability thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the validity of the remainder of this act or its applicability to other persons or~~

circumstances. It shall be presumed conclusively that the legislature would have enacted the remainder of this act without the sentence, clause, provision or section held ~~invalidly enacted or applied.~~

(b)—This act shall be interpreted by the commissioner for the purpose of protecting the citizens of this state, against financial loss, who purchase payment instruments or who give money or control of their funds or credit into the custody of another person for transmission, regardless of whether the transmitter has any office, facility, agent or other physical presence in the state.

Sec. 10. K.S.A. 2011 Supp. 9-513a is hereby amended to read as follows: 9-513a.

~~(a) The commissioner shall not issue a license unless the commissioner is of the opinion that the person will be able to and will perform its obligations to purchasers of money transmission services and purchasers, payees and holders of money orders sold by it and its agents, and that the financial responsibility, character, reputation, experience and general fitness of the person, its senior officers, directors and principal stockholders are such to warrant belief that the business will be operated efficiently, fairly and in the public interest.~~

~~(b) The commissioner may, after notice and an opportunity for a hearing, revoke a license if the commissioner finds:~~

~~(1) The person may be financially unable to perform its obligations or that the person has willfully failed without reasonable cause to pay or provide for payment of any of its obligations related to the person's money transmission business;~~

~~(2) the person no longer meets a requirement for initial granting of a license;~~

~~(3) the person or a senior officer, director or a stockholder who owns more than 10% of the money transmission business' outstanding stock has been convicted of a crime involving fraud, dishonesty or deceit;~~

~~(4) there has been entry of a federal or state administrative order against the person for violation of any law or any regulation applicable to the conduct of the person's money transmission business;~~

~~(5) a refusal by the person to permit an investigation by the commissioner;~~

~~(6) a failure to pay to the commissioner any fee required by this act; or~~

~~(7) a failure to comply with any order of the commissioner. The commissioner, after notice and an opportunity for a hearing, may deny, suspend, revoke or refuse to renew a license issued pursuant to this act, or issue a cease and desist order if the commissioner finds any of the following are applicable to any person who is required to be licensed under this act or such person's agent:~~

~~(a) The financial responsibility, character, reputation, experience and general fitness of the person, such person's senior officers, directors and principal stockholders are such to warrant the belief that the business may not be operated efficiently, fairly and in the public interest;~~

~~(b) the person may be financially unable to perform such person's obligations or that the person has willfully failed without reasonable cause to pay or provide for payment of any of such person's obligations related to the person's money transmission business;~~

~~(c) the person no longer meets a requirement for initial granting of a license;~~

~~(d) the person has filed with the commissioner any document or statement falsely representing or omitting a material fact;~~

~~(e) the person concealed a fact or a condition exists which would clearly have~~

justified the commissioner's refusal to grant a license had the fact or condition been known to exist at the time the application for the license was made;

(f) the person or a senior officer, director or a stockholder who owns more than 10% of the money transmission business' outstanding stock has been convicted of a crime involving fraud, dishonesty or deceit;

(g) there has been entry of a federal or state administrative order against the person for violation of any rule and regulation applicable to the conduct of the person's money transmission business;

(h) the person refused to permit an examination or investigation by the commissioner;

(i) a failure to pay to the commissioner any fee required by this act;

(j) the person has engaged in any transaction, practice or business conduct that is fraudulent or deceptive in connection with the business of money transmission;

(k) the person advertises, displays, distributes, broadcasts or televises any false, misleading or deceptive statement or representation with regard to rates, terms or conditions for the transmission of money;

(l) the person fails to keep and maintain sufficient records to permit an audit to satisfactorily disclose to the commissioner the licensee's compliance with the provisions of the act;

(m) the person has been the subject of any disciplinary action by this or any other state or federal agency;

(n) a final judgment has been entered against the person in a civil action and the commissioner finds the conduct on which the judgment is based indicates that it would be contrary to the public interest to permit such person to be licensed; or

(o) the person has violated any order issued by the commissioner, any provision of this act, any rule and regulation adopted thereto, or any other state or federal law applicable to money transmission.

Sec. 11. K.S.A. 2011 Supp. 9-513c is hereby amended to read as follows: 9-513c. (a) Notwithstanding any other provision of law, all information or reports obtained and prepared by the commissioner in the course of licensing or examining a person engaged in money transmission business shall be confidential and may not be disclosed by the commissioner except as provided in subsection (b) or (c).

(b) The commissioner shall have the authority to share supervisory information, including reports of examinations, with other state or federal agencies having regulatory authority over the person's money transmission business and shall have the authority to conduct joint examinations with other regulatory agencies.

(c) The commissioner may provide for the release of information to law enforcement agencies or prosecutorial agencies or offices who shall maintain the confidentiality of the information.

(d) The commissioner may accept a report of examination or investigation from another state or federal licensing agency, in which the accepted report is an official report of the commissioner. Acceptance of an examination or investigation report does not waive any fee required by this act.

(e) Nothing shall prohibit the commissioner from releasing to the public a list of persons licensed or their agents or from releasing aggregated financial data on such persons.

~~(e)~~(f) The provisions of subsection (a) shall expire on July 1, 2016, unless the

legislature acts to reauthorize such provisions. The provisions of subsection (a) shall be reviewed by the legislature prior to July 1, 2016.

Sec. 12. K.S.A. 9-1722 is hereby amended to read as follows: 9-1722. (a) A notice of a proposed bank acquisition filed pursuant to K.S.A. 9-1721, and amendments thereto, shall contain the following information:

(1) The identity, personal history, business background and experience of each person by whom or on whose behalf the acquisition is to be made, including such person's material business activities and affiliations during the past five years and a description of any material pending legal or administrative proceedings in which the person is a party and any criminal indictment or conviction of such person by a state or federal court;

(2) a statement of the assets and liabilities of each person by whom or on whose behalf the acquisition is to be made, as of the end of the fiscal year for each of the five fiscal years immediately preceding the date of the notice, together with related statements of income and source and application of funds for each of the fiscal years then concluded and an interim statement of the assets and liabilities for each such person, together with related statements of income and source and application of funds, as of a date not more than 90 days prior to the date of the filing of the notice. Individuals who own 10% or more shares in a bank holding company, as defined in K.S.A. 9-519, and amendments thereto, shall file the financial information required by this paragraph;

(3) the terms and conditions of the proposed acquisition and the manner in which the acquisition is to be made;

(4) the identity, source and amount of the funds or other considerations used or to be used in making the acquisition and, if any part of these funds or other considerations has been or is to be borrowed or otherwise obtained for the purpose of making the acquisition, a description of the transaction, the names of the parties, and any arrangements, agreements or understandings with such persons;

(5) any plans or proposals which any acquiring party making the acquisition may have to liquidate the bank, to sell its assets or merge it with any company or to make any other major change in its business or corporate structure or management;

(6) the identification of any person employed, retained or to be compensated by the acquiring party or by any person on such person's behalf to make solicitations or recommendations to stockholders for the purpose of assisting in the acquisition and a brief description of the terms of such employment, retainer or arrangement for compensation;

(7) copies of all invitations or tenders or advertisements making a tender offer to stockholders for purchase of their stock to be used in connection with the proposed acquisition; and

(8) any additional relevant information in such forms as the department may require by specific request in connection with any particular notice.

(b) With regard to any trust company which files a notice pursuant to this section, the commissioner may require fingerprinting of any proposed officer, director, shareholder or any other person deemed necessary by the commissioner. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has

a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the persons proposing to acquire the trust company. Whenever the commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application.

(c) The commissioner may accept an application filed with the federal reserve bank or federal deposit insurance corporation in lieu of a statement filed pursuant to subsection (a). The commissioner may, in addition to such application, request additional relevant information.

~~(e)~~(d) At the time of filing a notice of a proposed bank acquisition pursuant to K.S.A. 9-1721, and amendments thereto, or an application filed pursuant to subsection ~~(b)~~(c), the applicant shall pay to the commissioner a fee in an amount established by rules and regulations adopted by the commissioner.

Sec. 13. K.S.A. 9-1801 is hereby amended to read as follows: 9-1801. (a) No bank or trust company shall be organized or incorporated under the laws of this state, nor shall any such institution transact either a banking business or a trust business in this state, until the application for its incorporation and application for authority to do business has been submitted to and approved by the board. The board shall approve or disapprove the organization and establishment of any such institution in the city or town in which the same is sought to be located. The form for making any such application shall be prescribed by the board and any application made to the board shall contain such information as it shall require. The board may require fingerprinting of any officer, director, incorporator or any other person of the proposed trust company related to the application deemed necessary by the board. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction. The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the persons associated with the applicant trust company to be issued a charter. Whenever the board requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application. The board shall not approve any such application until it first investigates and examines such application and the applicants.

(b) If upon the dissolution, insolvency or appointment of a receiver of any bank, trust company, national bank association, savings and loan association, savings bank or credit union, it is the opinion of the commissioner that by reason of the loss of services in the community, an emergency exists which may result in serious inconvenience or losses to the depositors or the public interest in the community, the commissioner may accept and approve an application for incorporation and application for authority to do business from applicants for the organization and establishment of a successor bank or trust company.

Sec. 14. K.S.A. 2011 Supp. 75-3135 is hereby amended to read as follows: 75-3135. (a) The bank commissioner shall receive an annual salary to be fixed by the governor with the approval of the state finance council. The bank commissioner is hereby authorized to appoint two deputy commissioners who shall be in the

unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the bank commissioner in accordance with an equitable salary schedule established by the bank commissioner and approved by the governor for all unclassified positions. The average of the salaries shall not exceed the average compensation of corresponding state regulatory positions in similar areas. The bank commissioner's salary schedule shall be reported to the state banking board annually.

(b) (1) The deputy commissioner of the banking division shall supervise all banks and trust companies as directed by the bank commissioner and shall perform such other duties as may be required by the bank commissioner.

(2) The deputy commissioner of the consumer and mortgage lending division shall supervise all consumer and mortgage lending functions as directed by the bank commissioner and shall perform such other duties as may be required by the bank commissioner.

(c) If the office of the bank commissioner is vacant or if the bank commissioner is absent or unable to act, the deputy commissioner of the banking division shall be the acting bank commissioner.

(d) (1) The deputy commissioner of the banking division shall have at least five years' experience as a state bank officer or five years' experience as a state or federal regulator.

(2) The deputy commissioner of consumer and mortgage lending shall have at least five years' experience in consumer or mortgage lending, regulatory, legal or related experience.

(e) The bank commissioner is also authorized to appoint or contract for, in accordance with the civil service law, such special assistants and other employees as are necessary to properly discharge the duties of the office.

Sec. 15. K.S.A. 2011 Supp. 75-3135a is hereby amended to read as follows: 75-3135a. (a) (1) Subject to the provisions of appropriation acts, the bank commissioner may appoint regional managers ~~and~~ financial examiner administrators, case managers, examiners and a business manager within the office of the state bank commissioner as determined necessary by the bank commissioner to effectively carry out the mission of the office. ~~All regional managers and financial examiner administrators~~ Each regional manager, financial examiner administrator, case manager, examiner or business manager appointed after the effective date of this act shall be in the unclassified service under the Kansas civil service act, shall have special training and qualifications for such positions, shall serve at the pleasure of the bank commissioner ~~and shall receive compensation fixed by the bank commissioner and approved by the governor and shall receive compensation in accordance with an equitable salary schedule established by the bank commissioner and approved by the governor for all unclassified positions.~~

(2) The average of the amount of compensation in the bank commissioner's salary schedule for such appointed positions in the unclassified service shall not exceed the average compensation of corresponding state regulatory positions in similar areas. The bank commissioner's salary schedule for unclassified positions shall be reported to the state banking board annually.

(b) Nothing in subsection (a) shall affect the classified status of any person employed in the office of the state bank commissioner on the day immediately preceding the effective date of this act. The provisions of this subsection shall not be construed to limit the powers of the bank commissioner pursuant to K.S.A. 75-2948.

and amendments thereto.

Sec. 16. K.S.A. 50-1116 is hereby amended to read as follows: 50-1116. (a) K.S.A. 50-1116 through 50-1135, and amendments thereto, shall be known and may be cited as the Kansas credit services organization act.

(b) Any ~~person~~individual licensed to practice law in this state acting within the course and scope of such ~~person's~~individual's practice as an attorney, and such individual's law firm, shall be exempt from the provisions of this act.

Sec. 17. K.S.A. 50-1117 is hereby amended to read as follows: 50-1117. Definitions as used in this act: (a) "Commissioner" means the state bank commissioner.

(b) "Consumer" means an individual who is a resident of this state.

(c) "Credit services organization" means a person who engages in, or holds out to the public as willing to engage in, the business of debt management services for a fee, compensation or gain, or in the expectation of a fee, compensation or gain.

(d) "Debt management service" means:

(1) Receiving or offering to receive funds from a consumer for the purpose of distributing the funds among such consumer's creditors in full or partial payment of such consumer's debts;

(2) improving or offering to improve a consumer's credit record, history or rating;
or

(3) negotiating or offering to negotiate to defer or reduce a consumer's obligations with respect to credit extended by others.

(e) "Insolvent" means a person whose debts exceed their assets.

(f) "Law firm" means a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization.

(g) "Person" means any individual, corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity.

~~(g)~~(h) "Related interest" means a person:

(1) With respect to an individual who is:

(A) The spouse of the individual;

(B) a brother, brother-in-law, sister, sister-in-law of the individual;

(C) an ancestor or lineal descendant of the individual or the individual's spouse;
and

(D) any other relative, by blood, adoption or marriage, of the individual or such individual's spouse who shares the same residence with the individual.

(2) With respect to a corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity, which is:

(A) Directly or indirectly controlling, controlled by or under common control by a person; or

(B) an officer or director of a person or a person performing similar functions.

~~(h)~~(i) "Registrant" means a person who is registered by the commissioner as a credit services organization.

~~(i)~~(j) "Trust account" means an account established by the applicant or registrant in a federally insured financial institution used to hold funds paid by consumers to a credit

services organization for disbursement to creditors of consumers that is designated as a trust account or other appropriate designation indicating the funds in the account are:

- (1) Not funds of the applicant or registrant or its owners, officers or employees; and
- (2) unavailable to creditors of the applicant or registrant.";

And by renumbering sections accordingly;

Also on page 6, in line 14, by striking all after "K.S.A."; by striking all in line 15; in line 16, by striking all before "are" and inserting "9-1722, 9-1801, 17-2204, 17-2234, 17-2246, 17-2250, 17-2251, 17-2252, 17-2253, 17-2254, 17-2255, 17-2256, 17-2257, 17-2258, 17-2259, 17-2261, 17-2265, 17-2266, 17-2267, 50-1116 and 50-1117 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-3135 and 75-3135a";

Also on page 6, in line 18, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the second "and" and inserting "the powers and duties of certain state officials who regulate certain financial institutions; relating to the powers and duties of the state bank commissioner; relating to the powers and duties of the credit union administrator; amending K.S.A. 9-1722, 9-1801, 17-2204, 17-2234, 17-2246, 50-1116 and 50-1117 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-3135 and 75-3135a";

And your committee on conference recommends the adoption of this report.

FORREST J. KNOX
RICHARD J. PROEHL
BOB GRANT

Conferees on part of House

RUTH TEICHMAN
TY MASTERSON
ALLEN C. SCHMIDT

Conferees on part of Senate

On motion of Rep. Knox, the conference committee report on **H Sub for SB 287** was adopted.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Carlin, Dillmore, Frownfelter, S. Gatewood, Mah, Ruiz, Wetta, Winn.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Weber.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **H Sub for SB 287**. While I'm sure this bill contains much that is good law, I fail to understand how this body can approve raises for two categories of state employee and tell the rest of them to go pound sand. – ANN MAH

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2464** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 4, following line 3, by inserting:

"Sec. 2. K.S.A. 2011 Supp. 21-5905 is hereby amended to read as follows: 21-5905. (a) Interference with the judicial process is:

(1) Communicating with any judicial officer in relation to any matter which is or may be brought before such judge, magistrate, master or juror with intent to improperly influence such officer;

(2) committing any of the following acts, with intent to influence, impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor:

(A) Communicating in any manner a threat of violence to any judicial officer or any prosecutor;

(B) harassing a judicial officer or a prosecutor by repeated vituperative communication; or

(C) picketing, parading or demonstrating near such officer's or prosecutor's residence or place of abode;

(3) picketing, parading or demonstrating in or near a building housing a judicial officer or a prosecutor with intent to impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor;

(4) knowingly accepting or agreeing to accept anything of value as consideration for a promise:

(A) Not to initiate or aid in the prosecution of a person who has committed a crime; or

(B) to conceal or destroy evidence of a crime; or

(5) knowingly or intentionally in any criminal proceeding or investigation:

(A) Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document or thing;

(B) withholding or unreasonably delaying in producing any testimony, information, document or thing after a court orders the production of such testimony, information, document or thing;

(C) altering, damaging, removing or destroying any record, document or thing.

with the intent to prevent it from being produced or used as evidence; or

(D) making, presenting or using a false record, document or thing with the intent that the record, document or thing, material to such criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master or law enforcement officer; or

~~(5)(6)~~ when performed by a person summoned or sworn as a juror in any case:

(A) Intentionally soliciting, accepting or agreeing to accept from another any benefit as consideration to wrongfully give a verdict for or against any party in any proceeding, civil or criminal;

(B) intentionally promising or agreeing to wrongfully give a verdict for or against any party in any proceeding, civil or criminal; or

(C) knowingly receiving any evidence or information from anyone in relation to any matter or cause for the trial of which such juror has been or will be sworn, without the authority of the court or officer before whom such juror has been summoned, and without immediately disclosing the same to such court or officer.

(b) Interference with the judicial process as defined in:

(1) Subsection (a)(1) is a severity level 9, nonperson felony;

(2) subsection (a)(2) and (a)(3) is a class A nonperson misdemeanor;

(3) subsection (a)(4) is a:

(A) Severity level 8, nonperson felony if the crime is a felony; or

(B) class A nonperson misdemeanor if the crime is a misdemeanor;

(4) subsection (a)(5) is a:

(A) Severity level 8, nonperson felony if the matter or case involves a felony; or

(B) class A nonperson misdemeanor if the matter or case involves a misdemeanor;

~~(4)(5)~~ subsection ~~(a)(5)(A)~~ ~~(a)(6)(A)~~ is a severity level 7, nonperson felony; and

~~(5)(6)~~ subsection ~~(a)(5)(B)~~ or ~~(a)(5)(C)~~ ~~(a)(6)(B)~~ or ~~(a)(6)(C)~~ is a severity level 9, nonperson felony.

(c) Nothing in this section shall limit or prevent the exercise by any court of this state of its power to punish for contempt.";

And by renumbering sections accordingly;

On page 4, in line 4, before "22-3212" by inserting "21-5905 and"; also in line 4, by striking "is" and inserting "are";

On page 1, in the title, in line 1, after "concerning" by inserting "crimes, punishment and"; in line 2, after "depictions;" by inserting "interference with judicial process;"; also in line 2, before "22-3212" by inserting "21-5905 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2464** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2503** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 5, following line 40, by inserting:

"Sec. 5. K.S.A. 2011 Supp. 2-907 is hereby amended to read as follows: 2-907. The Kansas poultry improvement association of Manhattan, ~~Kan.~~ Kansas, whose articles of incorporation are recorded in the office of the secretary of state, is hereby designated and declared to be the official state agency for the state of Kansas, for the purpose of carrying out the national poultry improvement plan. The Kansas poultry improvement association shall cooperate with the United States department of agriculture, Kansas state university of agriculture and applied science, Kansas department of agriculture and the Kansas livestock animal health commissioner for the purpose of promoting the poultry industry and its allied branches and shall supervise and administer the national improvement plan in this state.

Sec. 6. K.S.A. 2-909 is hereby amended to read as follows: 2-909. As used in the poultry disease control act, except where the context clearly requires a different meaning, the following words and phrases shall have the meaning ascribed thereto.

(a) "Commissioner" means the livestock animal health commissioner of the ~~state of~~ Kansas department of agriculture.

(b) "Fowl typhoid" means a disease of poultry caused by salmonella gallinarum.

(c) "Hatchery" means a premises with equipment which is operated or controlled by a person for the production of baby poultry.

(d) "Person" means any individual, partnership, firm or corporation.

(e) "Plan" means the national poultry improvement plan contained in sections 145.1 ~~to through~~ 145.54, ~~inclusive~~, of title 9 of the code of federal regulations and the auxiliary provisions thereto which are contained in sections 147.1 ~~to through~~ 147.48, ~~inclusive~~, of title 9 of the code of federal regulations, and ~~any amendments or supplements to such plan or provisions thereto.~~

(f) "Poultry" means any domesticated birds which are bred for the primary purpose of producing eggs or meat or of being exhibited and which may include chickens, turkeys, waterfowl and game birds, but which shall not include doves or pigeons.

(g) "Pullorum" means a disease of poultry caused by salmonella pullorum.

Sec. 7. K.S.A. 2011 Supp. 32-951 is hereby amended to read as follows: 32-951. (a) Except as provided further, a game breeder permit is required to engage in the business of raising and selling game birds, game animals, furbearing animals or such other wildlife as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto.

(b) Any person who desires to engage in the business described in subsection (a) may apply to the secretary for a game breeder permit. The application shall give the name and residence of the applicant, the description of the premises, the number and kind of birds or animals which it is proposed to propagate and any other information required by the secretary. The fee prescribed pursuant to K.S.A. 32-988, and amendments thereto, shall accompany the application.

(c) If the secretary determines that the application is made in good faith and that the premises are suitable for engaging in the business described in subsection (a), the secretary may issue such permit. The permit shall expire on June 30 of each year.

(d) Game breeders shall make such reports of their activities to the secretary as required by rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto. In addition to any other penalty prescribed by law, failure to make such reports or to comply with the laws of the state of Kansas or rules and regulations of the secretary shall be grounds for the secretary to refuse to issue, refuse to renew, suspend or revoke such permit.

(e) The secretary shall adopt, in accordance with K.S.A. 32-805, and amendments thereto, such rules and regulations as necessary to implement the provisions of this section.

(f) Any person who is engaged in the business of raising domesticated deer shall not be required to have a game breeder permit as required by this section. As used in this section, "domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; ~~for~~ (2) any carcass, skin or part of such animal; ~~for~~ (3) exhibition; or ~~for~~ (4) companionship.

(g) The secretary, on a quarterly basis, shall transmit to the ~~livestock~~ animal health commissioner a current list of persons issued a game breeder permit issued pursuant to this section who are raising or selling any member of the family cervidae.

(h) Any person holding a game breeder permit from the secretary is hereby authorized to recapture any game bird that such game breeder is permitted to raise or sell whenever any such game bird has escaped from confinement for any reason. The authorized area for such recapture is hereby limited to a one-quarter mile radius of the game breeder's operation from which the escape from confinement occurred, provided

the game breeder has the prior approval of the owner of the land upon which the recapture will occur and has notified the department prior to the recapture.

Sec. 8. K.S.A. 47-122a is hereby amended to read as follows: 47-122a. (a) Whenever the owner or the owner's authorized agent allows any livestock to run at large, in violation of K.S.A. 47-122, and amendments thereto, and such livestock remains on the property of another person, ~~the sheriff of the county in which such livestock are running at large;~~ at the request of such person upon whose property the livestock are running at large, the sheriff of the county in which such livestock are running at large may take such livestock into custody and retain them in a secure holding area.

(b) The county sheriff shall give notice to the owner or the owner's authorized agent within 24 hours after taking such livestock into custody that the owner or the owner's authorized agent has 10 days within which to claim such livestock and to pay all actual costs for taking up, keeping and feeding of such livestock.

(c) If the owner or the owner's authorized agent fails to claim the livestock and to pay all actual costs within the ten-day period, the county sheriff shall cause the livestock to be delivered to a public livestock market or to a secure holding area approved by the ~~livestock animal health~~ commissioner. If the livestock is delivered to the market, the county sheriff shall cause such livestock to be sold at such market to the highest bidder for cash. Livestock held in a secure holding area other than a livestock market shall be advertised by the county sheriff in the official county newspaper and sold to the highest bidder for cash.

(d) The county sheriff shall pay out of the proceeds from the sale of such livestock, all actual costs for taking up, keeping and feeding of such livestock. Any proceeds remaining in the hands of the sheriff after payment of all actual costs, shall be paid to the owner of the livestock or the owner's authorized agent. If the owner or the owner's authorized agent is not known or cannot be located, the proceeds remaining after the payment of actual costs shall be paid to the county treasurer of the county in which the livestock were running at large. Such funds shall be deposited by the county treasurer in the county's special stray fund provided for in K.S.A. 47-239, and amendments thereto.

(e) In counties having a consolidated law enforcement department, the provisions of this section relating to sheriffs shall be deemed to refer to such department.

Sec. 9. K.S.A. 47-230 is hereby amended to read as follows: 47-230. (a) Any person may take up any stray found upon his such person's premises; or upon any public thoroughfare adjoining thereto, and he. Within 24 hours after taking up the stray, such person shall report such the taking up to the sheriff of the county in which the stray is taken up within twenty-four (24) hours after the taking up of such stray. In giving such notice, the taker-up shall describe said stray to the sheriff by stating the kind. The report shall include a description of the stray, including the type of animal, color, weight, size, sex and age, the marks, brands or other distinguishing features of the animal, if any there may be, the place where the animal is kept and the address of the taker-up such person who took up the stray. The sheriff upon being given such notice shall then notify the state livestock animal health commissioner and the owners of all registered brands found on said animal the stray. If the sheriff and the livestock animal health commissioner or his, or the commissioner's duly authorized representatives find and establish the ownership of said animal owner of the stray, a

record to that effect shall be kept, and said animal shall be then released to the established owner. *Provided*, That said owner has paid all costs accrued in said stray proceeding and has paid to the taker-up reasonable compensation for keeping and feeding said stray, as determined and agreed to by both the sheriff and the state livestock commissioner or his authorized representative, together with the cost for any damage which said stray may have caused.

(b) Subject to the agreement of both the sheriff and the animal health commissioner, or the commissioner's duly authorized representative, the stray shall be released to the established owner upon payment of:

(1) All costs accrued in the stray proceeding, including the cost for any damage which the stray may have caused while in the sheriff's control; and

(2) reasonable compensation to the person taking up the stray for the costs of keeping and feeding such stray, including the cost for any damage which the stray may have caused.

Sec. 10. K.S.A. 47-239 is hereby amended to read as follows: 47-239. (a) The notice for the sale of the stray shall be published for one (+) issue in a publication or publications having general circulation in the area where ~~said such~~ stray was taken up; ~~which~~. Such notice shall describe the stray ~~animal~~ by stating the kind of animal, sex, age; and brands. The notice shall not contain any statement as to the color of the stray ~~animal~~; or as to any marks or other distinguishing features; and it shall not contain the name or address of the ~~taker-up of such animal~~ person who took up such stray. Out of the proceeds from the sale of ~~said stray animal such stray~~, the sheriff shall pay the ~~taker-up of such animal~~ person who took up such stray, reasonable compensation for his keeping and feeding of the same, ~~and the stray~~. The sheriff also shall pay all costs of the stray proceedings. Any proceeds remaining in the hands of the sheriff after payment of feeding and sale costs, shall be paid by ~~him~~ the sheriff to the treasurer of the county in which the stray ~~animal~~ was taken up. Such funds shall be placed by the county treasurer in a special stray fund.

(b) At any time prior to the expiration to six (6) months following the date of such deposit with the county treasurer, a claimant may appear before the sheriff and submit evidence of ownership of ~~said stray animal such stray~~. If such evidence is acceptable and satisfactory to the sheriff and to the state ~~livestock~~ animal health commissioner or ~~his~~ the commissioner's authorized representative, for purpose of establishing ownership of ~~said stray animal such stray~~, the sheriff shall direct the county treasurer to disburse the remainder of the proceeds from the sale of ~~said stray animal to said such stray to the~~ claimant.

(c) Upon the expiration of a period of six (6) months following the receipt of deposit of proceeds from the sale of any stray ~~animal~~, without any such directive having been received from the sheriff, the county treasurer shall pay the remaining proceeds to the ~~livestock~~ animal health commissioner to be remitted, deposited and credited as provided by K.S.A. 47-417a, and amendments thereto.

Sec. 11. K.S.A. 47-414 is hereby amended to read as follows: 47-414. As used in this act, except where the context clearly indicates a different meaning:

(a) "Person" means every natural person, firm, copartnership, association or corporation;

(b) "livestock" means cattle, sheep, horses, mules or asses;

(c) "brand" means any permanent identifying mark upon the surface of any

livestock, except upon horns and hoofs, made by any acid, chemical, a hot iron or cryogenic branding; and, also in the case of sheep shall include the identifying marks made by paint or tar;

(d) "commissioner" means the livestock animal health commissioner of the Kansas department of agriculture;

(e) "board" means the animal health board, created in K.S.A. 74-4001, and amendments thereto;

(f) "cryogenic branding" means a brand produced by application of extreme cold temperature.

Sec. 12. K.S.A. 47-414a is hereby amended to read as follows: 47-414a. (a) Whenever in any statutes of this state the terms "livestock commissioner," "livestock brand commissioner" or "brand commissioner" are used, or the term "commissioner" is used to refer to the livestock brand commissioner, such terms shall be construed to mean the livestock animal health commissioner appointed by the Kansas animal health board secretary of agriculture pursuant to K.S.A. ~~75-1904~~ 74-5.119, and amendments thereto.

(b) Whenever the term "board" is used in the acts contained in K.S.A. 47-414 ~~to through~~ 47-433, inclusive, and any acts amendatory thereof and amendments thereto, such term shall be construed to mean the Kansas animal health board created in K.S.A. 74-4001, and amendments thereto.

Sec. 13. K.S.A. 47-416 is hereby amended to read as follows: 47-416. It shall be the duty of the livestock animal health commissioner to keep all books and records and to record all brands used for the branding or marking of livestock in Kansas. The commissioner shall receive applications for the recording of any and all brands and the commissioner shall decide on the availability and desirability of any brand or brands sent in for recording.

The commissioner may appoint an assistant commissioner in charge of brands and brand inspectors, special investigators, examiners, deputy assistants and employees necessary to carry out the provisions of the acts contained in article 4 of chapter 47 of the Kansas Statutes Annotated, and ~~any acts amendatory thereof~~ amendments thereto, subject to approval of the board.

Sec. 14. K.S.A. 47-416a is hereby amended to read as follows: 47-416a. Each special investigator, appointed by the livestock animal health commissioner, pursuant to K.S.A. 47-416, and amendments thereto, shall have the authority to make arrests, conduct searches and seizures and carry firearms while investigating violations of the provisions of article 4 of chapter 47 of the Kansas Statutes Annotated and ~~acts amendatory of the, provisions thereof and supplemental amendments~~ thereto, and while investigating livestock theft. The director as defined in K.S.A. 74-5602, and amendments thereto, is authorized to offer and carry out a special course of instruction for special investigators performing law enforcement duties under authority of this section. Such special investigators shall not carry firearms without having first successfully completed such special law enforcement training course.

Sec. 15. K.S.A. 47-417 is hereby amended to read as follows: 47-417. (a) Any person may adopt a brand for the purpose of branding livestock in accordance with authorized rules and regulations of the livestock animal health commissioner of the Kansas animal health department department of agriculture division of animal health. Such person shall have the exclusive right to use such brand in this state, after

registering such brand with the livestock animal health commissioner.

(b) Any person desiring to register a livestock brand shall forward to the commissioner a facsimile of such brand and shall accompany the same with the registration fee in the amount provided under this section. Each person making application for the registering of a an available livestock brand ~~which is available~~ shall be issued a certificate of brand title ~~which~~. Such brand title shall be valid for a period ending four years subsequent to the next April 1; following date of issuance.

(c) For the purpose of revising the brand records, the livestock animal health commissioner shall collect a renewal fee in the amount provided under this section on all brands upon which the recording period expires. Any person submitting such renewal fee shall be entitled to a renewal of registration of such person's livestock brand for a five-year period from the date of expiration of registration of such person's livestock brand as shown by such person's last certificate of brand title.

(d) The livestock brand of any person whose registration expires and who fails to pay such renewal fee within a grace period of 60 days after expiration of the registration period shall be placed in a delinquency status. The use of a delinquent brand shall be unlawful. If the owner of any delinquent registered brand the registration of which has expired fails to renew registration of such brand within 120 days after such brand became delinquent, such failure shall constitute an abandonment of all claim to any property right in such brand.

(e) Upon the expiration of such delinquency period without any request for renewal and required remittance from the last record owner of a brand; or such owner's heirs, legatees or assigns, and with the termination of property rights by abandonment, the livestock animal health commissioner is authorized to receive and accept an application for such brand to the same extent as if such brand had never been issued to anyone as a registered brand.

(f) The livestock animal health commissioner shall determine annually the amount of funds which will be required for the purposes for which the brand registration and renewal fees are charged and collected and shall fix and adjust from time to time each such fee in such reasonable amount as may be necessary for such purposes, except that in no case shall either the brand registration fee or the renewal fee exceed \$55. The amounts of the brand registration fee and the renewal fee in effect on the day preceding the effective date of this act shall continue in effect until the livestock animal health commissioner fixes different amounts for such fees under this section.

Sec. 16. K.S.A. 2011 Supp. 47-417a is hereby amended to read as follows: 47-417a. (a) The livestock animal health commissioner ~~may~~, when brand inspectors or examiners are available, may provide brand inspection. When brand inspection is requested and provided, the livestock animal health commissioner shall charge and collect from the person making the request, a brand inspection fee of not to exceed \$.75 per head on cattle and \$.05 per head on sheep and other livestock. No inspection charge shall be made or collected at any licensed livestock market where brand inspection is otherwise available.

(b) The livestock animal health commissioner shall remit all moneys received under the statutes contained in article 4 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto, except K.S.A. 47-434 through 47-445, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall

deposit the entire amount in the state treasury to the credit of the livestock brand fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the commissioner.

Sec. 17. K.S.A. 47-418a is hereby amended to read as follows: 47-418a. Any person who willfully brands or causes to be branded any cattle in any manner other than as required or authorized by K.S.A. 47-418, and amendments thereto, or as required by the laws of this state and the rules and regulations of the livestock animal health commissioner, or any person who falsely brands or causes to be falsely branded any cattle in such a manner as to incorrectly designate the disease control identification or ownership of livestock, shall be deemed guilty of a class A misdemeanor.

Sec. 18. K.S.A. 47-420 is hereby amended to read as follows: 47-420. (a) It shall be unlawful for any person to use any brand for branding any livestock unless such brand has been duly registered in the office of the livestock animal health commissioner at Topeka, except: (1) The use of a single numeral digit (~~0 to 9~~, zero to nine, in conjunction with the registered brand of the owner may be used; for the purpose of determining the age of the branded animal, such number to be applied at least six inches from such registered brand; (2) the use of serial numbers in conjunction with the registered brand of the owner may be used for the purpose of identifying individual animals, such numbers to be applied at least six inches from the registered brand; (3) the use of numbers in conjunction with the registered brand of the owner may be used for the purpose of identifying herds of the same owner for feeding or experimental purposes, such numbers to be applied at least six inches from the registered brand; and (4) the use of a digital system of branding livestock may be used for the purpose of identifying animals in a licensed feedlot. Such feedlot brand may be used in conjunction with the registered brand of the owner, such brand to be applied at least six inches from such registered brand or may be used on animals which are not branded with a registered brand of the owner, subject to conditions, limitations and requirements applicable to the use of a feedlot brand as prescribed in K.S.A. 47-446, and amendments thereto. The age, serial, herd or feedlot brand shall not be construed as a part of the registered brand; and the use of such numeral or numerals in conjunction with a registered brand shall not be unlawful. Before any person uses any such serial or herd brand in conjunction with a registered brand, such person shall first obtain a permit from the livestock animal health commissioner authorizing such use.

(b) The livestock animal health commissioner is authorized to receive applications for permits for such serial or herd brands and issue permits thereon. All applications for such permits shall be accompanied by a permit fee of \$1.50. No such fee shall be required if the application for such permit is submitted in conjunction with an original application for the registered brand or in conjunction with a request for renewal of registration of a registered brand.

Sec. 19. K.S.A. 47-422 is hereby amended to read as follows: 47-422. Any brand ~~recorded with the Kansas animal health board~~ registered with the animal health commissioner of the Kansas department of agriculture in compliance with the requirements of this act shall be the property of the person causing such record to be made ~~and~~ Such brand shall be subject to sale, assignment, transfer, devise, and descent as other personal property. Instruments of writing evidencing the sale, assignment or

transfer of such brand shall be recorded by the ~~livestock animal health~~ commissioner, ~~and~~. The fee for recording such instruments of writing shall be \$15. Such instruments shall have the same force and effect as recorded instruments affecting real estate, ~~and~~. A certified copy of the record of any such instrument may be introduced in evidence the same as ~~is now provided for~~ certified copies of instruments affecting real estate. Any brand recorded with the Kansas ~~animal health department~~ department of agriculture division of animal health shall not be used by any person other than the recorded owner. Any person violating any provision of this section shall be guilty of a class C misdemeanor.

Sec. 20. K.S.A. 47-428 is hereby amended to read as follows: 47-428. The ~~livestock animal health~~ commissioner and the commissioner's deputies or assistants are hereby authorized to enter upon any private lands to make any inspections necessary for the purpose of carrying out the provisions of this act or any of the provisions of article 4 of chapter 47 of the Kansas Statutes Annotated ~~or any, and~~ amendments thereto. The commissioner and the commissioner's deputies or assistants may accept proof of ownership of livestock from any person in possession of animals bearing the recorded brands of another party as sufficient to exclude and exempt such animals from being classified as stray animals under the provisions of this act.

Sec. 21. K.S.A. 47-429 is hereby amended to read as follows: 47-429. All moneys received from the sale of branded stray livestock shall be paid to the state ~~livestock animal health~~ commissioner, ~~regardless of the provisions of notwithstanding~~ article 2 of chapter 47 of the Kansas Statutes Annotated ~~and acts amendatory, and amendments~~ thereto, or any other provision of law relating to the disposition of the moneys received from the sale of branded stray animals. The commissioner or the commissioner's deputies are hereby authorized and directed to receive and receipt for all moneys received from the sale of branded stray livestock and shall pay the same to the state treasurer, ~~and~~. The state treasurer shall credit ~~the such~~ amount ~~so paid~~ to the livestock brand fee fund.

Sec. 22. K.S.A. 47-432 is hereby amended to read as follows: 47-432. There is hereby created a livestock brand emergency revolving fund for the use of the state ~~livestock animal health~~ commissioner for the purpose of paying expenses and costs of establishing the ownership of livestock which are mingled as a result of sudden or extreme storm conditions or other unforeseen occurrences.

Sec. 23. K.S.A. 47-433 is hereby amended to read as follows: 47-433. The livestock brand emergency revolving fund may be used to provide for the compensation, subsistence and travel of emergency livestock brand inspectors and other necessary temporary employees and to provide for such transactions which demand immediate attention. Emergency livestock brand inspectors and other needed personnel may be employed by the ~~livestock animal health~~ commissioner, Kansas ~~animal health department,~~ department of agriculture division of animal health or by the assistant commissioner in charge of brands, on a temporary basis for services in the establishment of the ownership of livestock which may have been mingled as a result of sudden or extreme storm conditions; or other unforeseen occurrences. Personnel employed under this act shall be in the unclassified service and shall be exempt from the provisions of subsection (b) of K.S.A. 75-2935, ~~and amendments thereto,~~ requirements of the civil service law and processing by the division of personnel services of the department of administration. Such revolving fund shall not be used to

pay any regular employees, or for current accounts, which are payable monthly. Advanced payments may be made from such revolving fund by the commissioner or assistant commissioner for subsistence and travel of employees and for other necessary emergency purposes when deemed necessary. A settlement, based on an approved accounting for any advance payments, shall be completed prior to the certification to the director of accounts and reports for payment of any compensation earned. The assistant commissioner shall comply with supplemental procedures as the controller may require, but payments for services, subsistence and travel from the livestock brand emergency revolving fund shall be made by voucher method, showing periods of time worked.

Sec. 24. K.S.A. 47-434 is hereby amended to read as follows: 47-434. As used in this act:

- (a) "Commissioner" means the state ~~livestock animal health~~ commissioner;
- (b) "brand inspection area" means any county which has been designated as such by the board of county commissioners of such county in the manner provided by K.S.A. 47-435, and amendments thereto;
- (c) "resident owner of cattle " means any resident of a county who has owned one or more head of cattle at any time during the 12 preceding months;
- (d) "brand inspection" means the inspection of brands, marks, and other identifying characteristics of cattle or sheep, or both, for the purpose of determining the ownership thereof; and
- (e) "person" means any individual, firm, association, partnership or corporation.

Sec. 25. K.S.A. 47-435 is hereby amended to read as follows: 47-435. (a) Whenever a petition is submitted to the board of county commissioners, signed by not less than 51% of the resident owners of cattle, as determined by an enumeration taken and verified for this purpose by a qualified elector of the county, requesting that the county be designated a brand inspection area, it shall be the duty of the board of county commissioners, within 10 days after receipt of such petition, to make a determination as to the sufficiency of the qualifications and numbers of signers. If such petition is found sufficient the board shall adopt a resolution declaring the county a brand inspection area, and shall immediately file a certified copy of such resolution with the ~~livestock animal health~~ commissioner. In every case, the date of filing of the certified copy of the resolution of the board of county commissioners declaring the county a brand inspection area with the commissioner shall be the date the county shall qualify as a brand inspection area.

(b) Any and all counties which have been ~~so~~ designated as a brand inspection area, and which are adjacent to and contiguous with other counties so designated, shall ~~be~~ and constitute a part of a basic brand inspection area. From and after the effective date of this act, the counties of Hamilton, Kearny and Wichita shall be and are hereby designated and declared to be a part of a basic brand inspection area. Such basic brand inspection area shall be subject to enlargement by the addition of other contiguous counties.

(c) Whenever a petition is submitted to the board of county commissioners, signed by not less than 51% of the resident owners of cattle, as determined by an enumeration taken and verified for this purpose by a qualified elector of the county, requesting that the county no longer be designated a brand inspection area and that its status as a brand inspection area be terminated, it shall be the duty of the board of county

commissioners, within 10 days after receipt of such petition, to make a determination as to the sufficiency of the qualifications and numbers of signers. If such petition is found sufficient the board shall adopt a resolution declaring that the county is no longer a brand inspection area; and shall immediately file a certified copy of such resolution with the livestock animal health commissioner. Thereupon the county shall be terminated as a brand inspection area, but the termination as a brand inspection area by a county within a basic brand inspection area shall not affect the existence of such basic brand inspection area as to the remaining counties therein.

Sec. 26. K.S.A. 2011 Supp. 47-437 is hereby amended to read as follows: 47-437.

(a) The livestock animal health commissioner shall charge and collect a fee of not to exceed \$.75 per head on all cattle and not to exceed \$.05 per head on all sheep inspected in brand inspection areas of the state. In addition to the per head fee, the livestock animal health commissioner may charge and collect an on-site inspection fee and a mileage fee for each mile necessarily and actually traveled in going to and returning from the place of inspection. The livestock animal health commissioner, when brand inspectors are available, may provide brand inspection in other areas where brand inspection is requested and the commissioner shall charge and collect inspection fees in the same manner as prescribed for the collection of such fees in brand inspection areas. The owner or seller of cattle or sheep inspected shall be responsible for the payment of the inspection fees and such fees shall be collected in such manner as the livestock animal health commissioner shall prescribe or authorize by rule or regulation.

(b) When the livestock animal health commissioner determines that the fees collected under this section are yielding more than is required for the purposes for which such fees are collected, the commissioner may reduce such fees for such period as the commissioner deems justified. In the event the livestock animal health commissioner, after reducing such fees, finds that sufficient revenues are not being produced by the reduced fees to properly administer and enforce this act and acts of which this section is amendatory or supplemental, the commissioner may increase such fees to such rate as will, in the commissioner's judgment, produce sufficient revenue for the purposes provided in this section, but not exceeding \$.75 per head on cattle and not to exceed \$.05 per head on sheep.

(c) The livestock animal health commissioner shall remit all moneys received under K.S.A. 47-434 through 47-445, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the county option brand fee fund, except any amounts received for brand inspection services of livestock outside of a county option area. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the commissioner. All amounts received for inspection of livestock outside of a county option area shall be deposited to the credit of the livestock brand fee fund.

Sec. 27. K.S.A. 47-441 is hereby amended to read as follows: 47-441. It shall be unlawful for any person in any brand inspection area, including the owner of cattle, the shipper, motor carrier, railroad company, other carrier or corporation, or the agent or servant of any such person, carrier or corporation, to move, drive, ship or transport, in any manner, any cattle from any point in a brand inspection area, to any point outside

such area other than another brand inspection area, unless such cattle ~~shall have~~ first have been inspected for brands by the state ~~livestock animal health~~ commissioner, the commissioner's inspectors or examiners; or some person deputized by the commissioner to perform such inspection, unless such cattle are accompanied by a brand inspection certificate. The ~~livestock animal health~~ commissioner and the commissioner's inspectors and deputies may give permission for such movement of cattle without inspection when: (1) There is no change of ownership involved; or (2) shipment of such cattle is to a market where Kansas brand inspection is maintained. No such inspection shall be required in any case where any such cattle are being moved from a feedlot the operator of which has been licensed pursuant to K.S.A. 47-1503, and amendments thereto. It shall be unlawful for any motor carrier, railroad company or other carrier transporting any cattle from any brand inspection area to any market to permit the owner, the shipper or the party in charge of cattle to change the billing from consignment point to a point other than to a market where Kansas brand inspection is maintained, unless such carrier has or first secures an authorized brand inspection certificate for such cattle.

Sec. 28. K.S.A. 47-442 is hereby amended to read as follows: 47-442. (a) It shall be unlawful for any person in any brand inspection area to move any cattle within such area unless such cattle have been first inspected for brands by the ~~livestock animal health~~ commissioner or the commissioner's inspectors or deputies except that cattle may be moved without such inspection when: (1) Cattle are moved to a market where Kansas brand inspection is maintained; or (2) cattle are moved from a feedlot the operator of which has been licensed pursuant to K.S.A. 47-1503, and amendments thereto, except that when any such cattle are moved to any such feedlot the ~~same cattle~~ shall be inspected at the time they enter such feedlot. ~~The livestock commissioner shall have the authority~~

(b) In any case where as a result of a natural or man-made disaster cattle have strayed or have become mixed, the animal health commissioner shall have the authority to conduct a one time brand inspection of the cattle in any such feedlot.

(c) Any person who purchases cattle from within a brand inspection area without receiving a bill of sale and a brand inspection certificate shall be deemed as counseling, aiding and abetting the seller in the unlawful sale of such livestock.

Sec. 29. K.S.A. 47-446 is hereby amended to read as follows: 47-446. Feedlot brands may be lawfully applied to livestock which ~~livestock~~ are not branded with a registered brand of the owner and which are in the custody of, and upon the premises of, a feedlot operator licensed under the provisions of article 15 of chapter 47 of the Kansas Statutes Annotated, ~~and acts amendatory thereof or supplemental amendments~~ thereto, subject to the following conditions, limitations and requirements: (1) Such feedlot brand shall not be construed as evidence of ownership identification; (2) livestock which are branded with a feedlot brand shall be held by the licensed feedlot operator under quarantine upon ~~said feed lot~~ such feedlot premises until (a) either released by ~~said such~~ feedlot operator for movement to slaughter or (b) released by the ~~livestock animal health~~ commissioner; or ~~his such commissioner's~~ authorized representative, by issuance of a permit authorizing such livestock to be moved from the feedlot premises for grazing purposes; Any such permit, ~~if issued, shall be subject to the requirement that only shall be issued if~~ such livestock, have been branded with a registered brand of the owner of the livestock before release from licensed feedlot

premises, shall be branded with a registered brand of the owner of the livestock.

Sec. 30. K.S.A. 47-448 is hereby amended to read as follows: 47-448. The livestock animal health commissioner is authorized to enter into reciprocity agreements with any livestock commissioner or brand inspection agency of any other state or the United States, for cooperation in the administration of brand inspection laws and laws for the control, suppression and eradication of contagious diseases among domestic animals.

The livestock animal health commissioner may set and charge fees for brand inspection of animals subject to any reciprocity agreement, ~~and~~. Such fees shall not be limited by or subject to the provisions of K.S.A. 47-417a or 47-437, and amendments thereto, or any other law prescribing fees for brand inspection.

Sec. 31. K.S.A. 47-605 is hereby amended to read as follows: 47-605. For the purpose of this act, the livestock animal health commissioner is hereby authorized and empowered to administer oaths and affirmations.

Sec. 32. K.S.A. 47-607 is hereby amended to read as follows: 47-607. (a) It shall be unlawful for any person or persons to bring, drive or transport any cattle, calves, sheep, swine, horses, mules, goats, domesticated deer, as defined in K.S.A. 47-1001, and amendments thereto, any creature of the ratite family that is not indigenous to this state, including, but not limited to, ostriches, emus and rheas, or any other animal that may be used in the preparation of meat or meat products into the state of Kansas, without first having caused such animal or animals to be inspected and passed under certificate of health as required by the livestock animal health commissioner of this state.

(b) All shipments and movements of livestock into the state of Kansas upon a public highway shall be accompanied by any such certificates of health or permits required by the livestock animal health commissioner. The livestock animal health commissioner shall prescribe, by rules and regulations, procedure whereby certificates of health and other required statements and declarations may be submitted to the commissioner at the time of shipment.

(c) The livestock animal health commissioner is authorized to issue a special quarantine on such conditions as the commissioner deems necessary to prevent the spread of infectious and contagious diseases in the state of Kansas and on the condition that, if any such livestock upon inspection by an authorized veterinarian are found not to be free and clear of infectious and contagious diseases, ~~the same such livestock~~ shall be: (1) ~~Forthwith~~

(1) Disposed of by the owner or possessor thereof either by: (A) Sale at a public market for immediate slaughter; (B) delivery at a licensed disposal plant; or (C) return to place of origin; or

(2) held by the owner or possessor thereof under quarantine of and subject to the orders and rules and regulations of the livestock animal health commissioner.

Sec. 33. K.S.A. 47-607a is hereby amended to read as follows: 47-607a. When the livestock animal health commissioner of this state determines that a special permit is required to move any or all kinds or species of livestock into or through the state of Kansas, the livestock animal health commissioner may declare that no person or persons, firm, corporation, railway, aerial or motor transportation company, or individual owner of a truck, or the agents thereof, shall ship, trail, permit to cross the state line or in any manner transport any class of livestock into the state of Kansas from any other area, state or states designated by the livestock animal health commissioner,

without first obtaining a special permit, by wire, letter or telephone, from the livestock animal health commissioner at Topeka, Kansas. Such special permit or the authorized permit number of such special permit shall accompany such shipment of livestock into the state of Kansas.

Sec. 34. K.S.A. 47-607d is hereby amended to read as follows: 47-607d. The livestock animal health commissioner may adopt such rules and regulations as necessary to carry out the purposes of this act.

Sec. 35. K.S.A. 47-608 is hereby amended to read as follows: 47-608. The livestock animal health commissioner is hereby authorized and directed to cooperate with the secretary of agriculture of the United States; or any officer or authority of the general government, in the suppression and extirpation of contagious diseases among domestic animals and in the enforcement and execution of all acts of congress to prevent the importation and exportation of diseased animals and the spread of infectious or contagious diseases among domestic animals.

Sec. 36. K.S.A. 47-610 is hereby amended to read as follows: 47-610. The state livestock animal health commissioner is hereby directed to protect the health of domestic animals of the state from all contagious or infectious diseases and for this purpose is hereby authorized and empowered to establish, maintain and enforce such quarantine, sanitary and other regulations as necessary. If the livestock animal health commissioner requires the assistance of technical knowledge, experience or skill to carry out the duties of the livestock animal health commissioner, the livestock animal health commissioner may command the services of any competent veterinarian or may call upon the dean of the college of veterinary medicine, Kansas state university at Manhattan, Kansas, for that purpose. In case the dean of the college of veterinary medicine, Kansas state university is called, the dean shall receive actual and necessary expenses in the performance of such duties as full compensation for such services. If any other veterinarian is employed, such veterinarian shall receive such actual and necessary expenses and reasonable compensation for such services.

Sec. 37. K.S.A. 2011 Supp. 47-611 is hereby amended to read as follows: 47-611. (a) When the animal health commissioner determines that a quarantine and other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the commissioner shall notify the governor of such determination, and the governor shall issue a proclamation announcing the boundary of such quarantine and the orders and rules and regulations prescribed by the commissioner, ~~which~~ Such proclamation shall be published in the Kansas register, except that the commissioner, if the area affected by the quarantine is limited in extent, may dispense with the proclamation of the governor and give such notice as the commissioner shall deem sufficient to make the quarantine effective.

(b) Upon a determination by the governor that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, the governor shall direct the commissioner to establish a quarantine pursuant to this section.

(c) The governor may require and direct the cooperation and assistance of any state agency in enforcing such quarantine or other regulations pursuant to subsection (a) or (b).

(d) The commissioner shall establish such quarantine immediately and shall give and enforce such directions, rules and regulations as to separating, isolating, handling

and treating, feeding and caring for such diseased animals, animals exposed to the disease and animals within the quarantine which have not been immediately exposed, as the commissioner deems necessary to prevent those classes of animals from coming into contact with one another.

(e) The livestock animal health commissioner or the commissioner's designee is hereby authorized and empowered to enter any grounds and premises to carry out the provisions of this act.

Sec. 38. K.S.A. 2011 Supp. 47-612 is hereby amended to read as follows: 47-612. Whenever the livestock animal health commissioner determines that certain animals within the state are capable of communicating infectious or contagious disease, the commissioner may issue an order to the sheriff of the county or to any agent, inspector or authorized representative of the livestock animal health commissioner in which such animals are found, commanding such individuals to take into custody and keep such animals subject to such quarantine regulations as the livestock animal health commissioner may prescribe, until such time as the commissioner directs such person to deliver such animals to their owner or owners or to the agent of the owner or owners. Before any animals are delivered, ~~there shall be paid by the owner of such animals~~ shall pay to the livestock animal health commissioner all the fees, costs and expenses of taking, detaining and holding and caring for the animals. In case such fees, costs and expenses are not paid at the time fixed by the livestock animal health commissioner, the officer having custody of such animals shall advertise, in the same manner as provided by law in case of sale of personal property on execution, that the officer will sell such animals or such portion of such animals as may be necessary to pay such fees, costs and expenses, together with the costs and expenses of such sale. At the time and place advertised the officer shall sell as many of the animals as may be necessary to pay for such fees, costs and expenses and the costs and expenses of such sale. Upon such sale the officer shall without delay pay to the owner any amount received in excess of the fees, costs and expenses, including, but not limited to, legal fees of such officer. Any officer performing any of the duties directed in this section or any other section of this act shall receive the same compensation for such services as is prescribed by law for similar services. In case such fees, costs and expenses cannot be collected by sale of such animals, such fees, costs and expenses shall be paid by the state of Kansas unless payment or indemnity for the costs of taking into custody, keeping and selling such animals may be obtained from the United States government.

Sec. 39. K.S.A. 47-613 is hereby amended to read as follows: 47-613. The sheriff to whom the existence of any contagious or infectious disease of domestic animals is reported shall proceed without delay to the place where such domestic animal or animals are and examine the same, and shall report immediately the result of such examination to the livestock animal health commissioner. The sheriff shall enforce such temporary quarantine regulations as the livestock animal health commissioner may direct to prevent the spread of such disease, until the livestock animal health commissioner provides and orders suitable permanent quarantine rules and regulations. No sheriff who takes or detains such animals under the provisions of this act shall be liable to the owner or owners of such animals for any damages by reason of such taking or detention or by reason of the performance of any other duties directed by law.

Sec. 40. K.S.A. 47-616 is hereby amended to read as follows: 47-616. When any animal or animals are killed under the provisions of this act by order of the

commissioner, the owner of such animal or animals shall be paid for such animal or animals such proportion of the appraised value as fixed by the appraisement as provided by law. The right of indemnity on account of animals killed by order of the commissioner under the provisions of this act shall not extend to: (a) ~~to~~ Animals killed on account of rabies; (b) ~~to~~ the owner of animals which have been brought into the state in a diseased condition, or from a state, country, territory or district in which the disease with which the animal is infected or to which it has been exposed exists; (c) ~~to~~ any animal which has been brought into the state in violation of any law or quarantine regulations thereof, or the owner of which has violated any of the provisions of this act or disregarded any rule and regulation or order of the livestock animal health commissioner; (d) ~~to~~ any animal which came into the possession of the claimant with the claimant's knowledge that such animal was diseased or was suspected of being diseased or of having been exposed to any contagious or infectious disease; ~~nor or~~ (e) ~~to~~ any animal belonging to the United States.

Sec. 41. K.S.A. 47-618 is hereby amended to read as follows: 47-618. The animal health commissioner shall have power to call upon any sheriff, undersheriff or deputy sheriff to execute ~~his the commissioner's~~ orders, ~~and~~. Such officers shall obey the orders of ~~said the~~ commissioner; and for performing such services shall receive mileage and fees as is now provided for service in process in civil actions; ~~and in addition thereto shall receive~~. For killing and disposing of diseased animals, in accordance with the rules prescribed by the livestock animal health commissioner, such officers shall receive the following fees: (1) For the first animal, not to exceed ~~five dollars (\$5); \$5;~~ (2) for each additional animal, not to exceed ~~two dollars (\$2) \$2;~~ but in no case shall the amount exceed the actual cost of doing such work; ~~and~~. Such fees shall be paid by the board of county commissioners of the county in which the services are rendered. Any such officer may arrest on view and take before any judge of a court of competent jurisdiction of the county any person found violating the provisions of this act, and such officer shall immediately notify the county or district attorney of such arrest, and ~~he~~ such county or district attorney shall prosecute the person so offending according to law.

Sec. 42. K.S.A. 47-619 is hereby amended to read as follows: 47-619. ~~The owner or owners of any stockyards doing business in this state;~~ When requested by the livestock animal health commissioner, the owner or owners of any stockyards doing business in this state shall keep constantly in their employ a competent inspector of livestock appointed by the commissioner whose compensation shall be fixed and duties prescribed by the livestock animal health commissioner. The livestock animal health commissioner shall prescribe that portion of the compensation which shall be paid by the owner or owners of the stockyards. It shall be the duty of such inspector to work in conjunction with the United States government authorities to prohibit and prevent any stock affected with any contagious or infectious disease to be driven or shipped out of any such stockyards except to some licensed rendering establishment.

Sec. 43. K.S.A. 47-620 is hereby amended to read as follows: 47-620. Whenever the state livestock animal health commissioner has good reason to believe that any contagious or infectious disease has become epidemic in certain localities in other states, territories or countries, or that there are conditions which render domestic animals from such infected districts liable to convey such disease, the livestock animal health commissioner shall publish an order prohibiting the entrance of any livestock of

the kind diseased into the state from such infected district.

Sec. 44. K.S.A. 47-622 is hereby amended to read as follows: 47-622. It shall be the duty of the owner or person in charge of any domestic animal or animals who discovers, or has reason to believe that any domestic animal owned by such person or in such person's charge or keeping is affected with any contagious or infectious disease, to immediately report such fact or belief to the livestock animal health commissioner. It shall be the duty of any person who discovers the existence of any such contagious or infectious disease among the domestic animals of any person to immediately report this information ~~at once~~ to the livestock animal health commissioner.

Sec. 45. K.S.A. 2011 Supp. 47-624 is hereby amended to read as follows: 47-624. (a) In addition to any other penalty provided by law, any person who has in such person's possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, ~~who may incur a civil penalty imposed under subsection (b) if such person:~~

(1) Permits such animal to run at large; ~~or who~~

(2) keeps such animal where other domestic animals, not affected with or previously exposed to such disease, may be exposed to such contagious or infectious disease; ~~or who~~

(3) sells, ships, drives, trades or gives away such diseased and infected animal or animals which have been exposed to such infection or contagion, except by sale, trade or gift to a regularly licensed disposal plant; ~~or who~~

(4) moves or drives any domestic animal in violation of the rules and regulations, directions or orders establishing and regulating quarantine ~~may incur a civil penalty imposed under subsection (b) in the amount of not less than \$250 nor more than \$1,000 for each such violation and, in the case of a continuing violation, every day such violation continues shall be deemed a separate violation.~~

(b) Any owner of any domestic animal which has been affected with or exposed to any contagious or infectious disease may dispose of the same after such owner obtains from the livestock animal health commissioner a bill of health for such animal.

(b) ~~(c)~~ Any duly authorized agent of the commissioner, upon a finding that any person, or agent or employee thereof, has violated any of the provisions ~~stated above of~~ subsection (a), may impose a civil penalty upon such person as provided in this section. Such penalty shall be an amount not less than \$250 nor more than \$1,000 for each such violation and in the case of a continuing violation, every day such violation continues shall be deemed a separate violation.

~~(e)~~ (d) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the commissioner to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to appeal to the commissioner. Any such person, within 20 days after notification, may make written request to the commissioner for a hearing in accordance with the provisions of the Kansas administrative procedure act. The commissioner shall affirm, reverse or modify the order and shall specify the reasons therefor.

~~(e)~~ (e) Any person aggrieved by an order of the commissioner made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

~~(e)~~ (f) Any civil penalty recovered pursuant to the provisions of this section shall be

remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

Sec. 46. K.S.A. 47-626 is hereby amended to read as follows: 47-626. The state livestock animal health commissioner may employ such persons and purchase such supplies, appliances and materials as may be necessary to carry into full effect all the orders given by the livestock animal health commissioner as provided by law. No labor shall be employed and no material or supplies purchased by the livestock animal health commissioner except such additional labor, material and supplies as may be necessary to carry into effect the quarantine and other regulations prescribed by the commissioner. The director of accounts and reports shall draw warrants upon the treasurer of state for the necessary amount upon vouchers properly verified by the person performing such labor or furnishing such material and approved by the livestock animal health commissioner.

Sec. 47. K.S.A. 47-627 is hereby amended to read as follows: 47-627. If the livestock animal health commissioner finds the disease known as the itch or mange existing among domestic animals, the livestock animal health commissioner shall order all animals so affected to be properly treated as the commissioner deems necessary.

Sec. 48. K.S.A. 47-629 is hereby amended to read as follows: 47-629. It shall be unlawful for any person to inject any virulent hog cholera virus into any hog; in the state of Kansas; unless such person first obtains a permit from the livestock animal health commissioner authorizing such injection. A permit to inject virulent hog cholera virus may be issued by the livestock animal health commissioner upon application to the livestock animal health commissioner upon a form provided by the livestock animal health commissioner. Such permit shall be issued only to persons who are sufficiently informed as to qualify to safely handle and use such virus; ~~and~~. Such permit shall state ~~such~~ the conditions, limitations and regulations as the livestock animal health commissioner deems necessary for the protection of the health of the domestic animals of this state from infectious or contagious diseases. Such permit shall be issued for a definite period which duration shall be fixed by the livestock animal health commissioner as the livestock animal health commissioner deems necessary to prevent the spread of infectious or contagious diseases. The permit holder shall comply with the requirements of such permit.

Sec. 49. K.S.A. 47-629a is hereby amended to read as follows: 47-629a. It shall be unlawful for any person to sell or offer for sale virulent hog cholera virus to another unless the vendor is: (1) A manufacturer thereof; or (2) a distributor of veterinarian supplies, authorized by the livestock animal health commissioner to handle and sell such virus; or (3) a veterinarian licensed under the Kansas veterinary practice act.

Sec. 50. K.S.A. 47-629b is hereby amended to read as follows: 47-629b. It shall be unlawful for any person to sell; or offer for sale; any virulent hog cholera virus to another unless the purchaser is: (1) A holder of a permit from the livestock animal health commissioner, currently in effect, authorizing such person to inject virulent hog cholera virus; or (2) a distributor of veterinarian supplies authorized by the livestock animal health commissioner to handle and sell such virus.

Sec. 51. K.S.A. 47-629c is hereby amended to read as follows: 47-629c. Any person who violates any provision of this act, or any provision of a permit to inject virulent hog cholera virus issued by the livestock animal health commissioner, and any

person who fails to comply with any provision of this act or any provision of such a permit, shall be guilty of a misdemeanor and upon conviction shall be fined ~~in a sum of~~ not less than \$25 or more than \$500 or shall be imprisoned in the county jail for not more than six months, or both.

Sec. 52. K.S.A. 47-631 is hereby amended to read as follows: 47-631. (a) The livestock animal health commissioner, whenever the livestock animal health commissioner deems it necessary, shall formulate and announce the rules under which the tuberculin test for tuberculosis in domestic animals shall be applied ~~and~~. For all proceedings ~~subsequent to~~ pursuant to such application:

(1) No tuberculin shall be used other than that furnished by the United States government;

(2) no person other than one indicated for that purpose by the livestock animal health commissioner shall inject any tuberculin into any animal in this state; ~~and~~

(3) all charts giving the temperature and conditions existing at the time the animal was tested, accompanied by a history and description of the animal, shall be submitted, immediately after the test is made, to the state livestock animal health commissioner; ~~who shall thereupon. The animal health commissioner shall then~~ render an opinion a decision thereon, which ~~decision~~ shall be final and shall be recorded in the office of the livestock animal health commissioner.

(b) The state livestock animal health commissioner shall ~~at once~~ immediately apply the quarantine and other regulations issued under the provisions of this act to animals found infected with tuberculosis.

Sec. 53. K.S.A. 47-632 is hereby amended to read as follows: 47-632. Whenever the livestock animal health commissioner ~~shall have decided~~ determines that any domestic animal is affected with tuberculosis ~~he or she shall at once, the commissioner shall immediately~~ condemn ~~said such~~ animal and quarantine the herd ~~wherein in which~~ it is found. Whereupon, the owner shall sell such diseased animal for immediate slaughter under state or federal inspection, subject to a post-mortem examination under the direction of the livestock animal health commissioner. ~~Said Such~~ owner shall be indemnified by the state livestock animal health commissioner, from funds appropriated therefor, in an amount equal to ~~one hundred dollars (\$100)~~ \$100 for each condemned grade bovine animal and ~~two hundred dollars (\$200)~~ \$200 for each registered bovine animal.

Sec. 54. K.S.A. 47-632a is hereby amended to read as follows: 47-632a. The livestock animal health commissioner shall not be required to examine the records in the county where condemned animals are situated to determine names and rights of lien claimants or mortgagees.

Sec. 55. K.S.A. 47-633a is hereby amended to read as follows: 47-633a. The livestock animal health commissioner may order the condemnation of an entire herd of domestic animals when tuberculosis of any animal within such herd has been diagnosed. In such event, the livestock animal health commissioner shall indemnify the owner of such herd in an amount not to exceed ~~fifty percent (50%)~~ 50% of the difference between the salvage value and the appraised value of the animals in the condemned herd. Such payment by the commissioner shall be from funds appropriated therefor, but in no event shall such payment exceed the sum of ~~four hundred dollars (\$400)~~ \$400 per head for registered bovine animals, the sum of ~~two hundred dollars (\$200)~~ \$200 per head for grade bovine animals. Such compensation shall not be paid,

and the premises from which the herd was taken shall not be restocked, until such premises have been cleaned and disinfected and, ~~subsequent thereto,~~ have been inspected and approved by the livestock animal health commissioner, or ~~his or her~~ the commissioner's authorized representative. Appraisals of animals condemned shall be made by the livestock animal health commissioner, or ~~his or her~~ the commissioner's authorized representative, and by the owner. If ~~said such~~ appraisers cannot agree, a disinterested third party, who has knowledge of livestock values in such locality, shall be selected as an arbitrator by the commissioner and the owner, at the expense of the owner. The determination of values by ~~said such~~ arbitrator shall be final.

Sec. 56. K.S.A. 47-634 is hereby amended to read as follows: 47-634. The disinfection of the premises where a diseased animal or animals coming within the provisions of this act have been kept shall be under the supervision of the livestock animal health commissioner, or the designee of the livestock animal health commissioner. The livestock animal health commissioner, ~~in addition,~~ shall designate the materials to be used and the method of their application. The cost of such material together with the necessary labor of disinfecting shall be paid by the owner of such animals. Except for disinfection, the premises shall be kept in quarantine until such time as the livestock animal health commissioner may determine.

Sec. 57. K.S.A. 47-635 is hereby amended to read as follows: 47-635. The provisions of this act shall ~~be construed to~~ include all contagious or infectious diseases among all kinds of domestic animals, including, but not limited to, horses, mules, asses, cattle, sheep, goats, llamas, swine, dogs, cats, poultry, birds, nonhuman primates, ferrets, domesticated deer, as defined in K.S.A. 47-1001, and amendments thereto, all creatures of the ratite family, including, but not limited to, ostriches, emus and rheas and exotic animals as defined by rules and regulations in 9 C.F.R. § 1.1, pursuant to 7 U.S.C. § 2131 *et seq.* The state livestock animal health commissioner is given the same power over any domestic animal afflicted with rabies as is conferred upon the livestock animal health commissioner in relation to other diseases of domestic animals.

Sec. 58. K.S.A. 47-646a is hereby amended to read as follows: 47-646a. It shall be lawful for any authorized representative of the livestock animal health commissioner, any sheriff, any city marshal or any law enforcement officer at any time to kill any dog which may be found unconfined in violation of any rabies quarantine or other quarantine order issued by the state livestock animal health commissioner or issued by the secretary of health and environment.

Sec. 59. K.S.A. 47-650 is hereby amended to read as follows: 47-650. Upon the presentation to the state livestock animal health commissioner of a petition signed by 50 farmers who are resident taxpayers of any county in this state asking that they be permitted to establish a county hog cholera-control organization in their county, such commissioner shall notify in writing the president of Kansas state university; and the inspector in charge of the office of the United States department of agriculture, animal plant health inspection service, veterinary services, that a meeting will be held at the county seat of the county at a certain date and hour to perfect the organization prayed for in the petition. All persons attending such meeting shall proceed to perfect the establishment of the _____ county hog cholera-control organization by choosing a president, vice-president, secretary and treasurer and one farmer from each township in the county, who ~~shall,~~ in connection with such officers, shall constitute the executive board of the _____ county hog cholera-control organization.

Sec. 60. K.S.A. 47-651 is hereby amended to read as follows: 47-651. Upon the completion of the establishment of such organization, the state ~~livestock animal health~~ commissioner ~~shall~~, upon the recommendation of the executive board, shall appoint a competent person as deputy state ~~livestock animal health~~ commissioner for the county. Such county deputy ~~livestock animal health~~ commissioner shall perform all services and discharge all duties in the county hog cholera control work in exact conformity with the rules and regulations promulgated by the ~~livestock animal health~~ commissioner.

Sec. 61. K.S.A. 47-653 is hereby amended to read as follows: 47-653. The county deputy ~~livestock animal health~~ commissioner shall receive a reasonable compensation, to be determined by the state ~~livestock animal health~~ commissioner, in an amount not to exceed \$100 per month and necessary travel expenses while absent from home in the discharge of the duties of such position.

Sec. 62. K.S.A. 47-653a is hereby amended to read as follows: 47-653a. It shall be unlawful for any person to sell or to use hog cholera vaccines in the state of Kansas unless the hog cholera vaccine is first approved by the state ~~livestock animal health~~ commissioner.

Sec. 63. K.S.A. 47-653b is hereby amended to read as follows: 47-653b. The state ~~livestock animal health~~ commissioner is hereby authorized and empowered to adopt rules and regulations designating which hog cholera vaccines may be sold or used in this state.

Sec. 64. K.S.A. 47-653d is hereby amended to read as follows: 47-653d. In order to prevent the spread of hog cholera; and to reduce the danger of the spread thereof, the ~~livestock animal health~~ commissioner, or the authorized representative of the ~~livestock animal health~~ commissioner, may destroy or require the destruction of any swine which the ~~livestock animal health~~ commissioner has determined to be affected with or exposed to hog cholera. Prior to such destruction there shall be an appraisal of the value of any swine, which shall be made jointly by the owner of such swine and the ~~livestock animal health~~ commissioner, or the authorized representative of the ~~livestock animal health~~ commissioner. If the appraisers cannot agree, a disinterested third party who has knowledge of livestock values in such locality shall be selected by the commissioner and the owner, at the expense of the owner, as an arbitrator. The arbitrator's determination of the value of such swine shall be final.

Sec. 65. K.S.A. 47-653e is hereby amended to read as follows: 47-653e. The owner or custodian of such swine, immediately after the determination of its appraised value, shall cause such swine to be disposed of in the manner directed by the ~~livestock animal health~~ commissioner or the authorized representative of the ~~livestock animal health~~ commissioner. Any owner or custodian of swine who fails to dispose of swine as directed by the ~~livestock animal health~~ commissioner, upon conviction, shall be guilty of a misdemeanor and shall be punished in the manner provided in K.S.A. 47-607c, and amendments thereto.

Sec. 66. K.S.A. 47-653f is hereby amended to read as follows: 47-653f. On presentation to the ~~livestock animal health~~ commissioner of acceptable evidence that disposition of such swine has been made in the prescribed manner, the owner of such swine shall be entitled to indemnity, to be paid by the state, in an amount equal to the amount of indemnity paid by the federal government for such destruction of swine. Such indemnification by the state shall not exceed \$40 per head for grade swine and shall not exceed \$60 per head for purebred swine. Indemnities shall not be paid on

swine which have been brought or moved into Kansas in violation of the import regulations of this state; and indemnity shall not be paid on any swine which have been allowed to mingle with swine so brought or moved into Kansas.

Indemnification payments shall be made from legislative appropriations for such purpose to the livestock animal health commissioner. The director of accounts and reports is hereby authorized and directed to draw warrants upon the state treasurer for the amounts and for the purposes provided herein upon duly executed vouchers approved by the livestock animal health commissioner.

Sec. 67. K.S.A. 47-653g is hereby amended to read as follows: 47-653g. The livestock animal health commissioner is hereby authorized to cooperate with any department, agency or officer of the federal government in the control and eradication of hog cholera, including the sharing in the payment of indemnities for swine destroyed pursuant to this act.

Sec. 68. K.S.A. 47-653h is hereby amended to read as follows: 47-653h. Any motor vehicle used in the hauling or transporting of swine from the premises where diseased or exposed swine have been under hog cholera quarantine to a destination where such swine are to be slaughtered, including a licensed disposal plant, shall be thoroughly cleaned and disinfected after unloading such swine. Such cleaning and disinfection shall be made under the supervision of the livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner, ~~and~~ with a disinfectant which has been approved by the livestock animal health commissioner.

Sec. 69. K.S.A. 47-654 is hereby amended to read as follows: 47-654. It shall be unlawful for any person to ship into Kansas or offer for sale in Kansas any food for livestock contained in sacks which have not been first thoroughly disinfected or fumigated in accordance with the requirements of the livestock animal health commissioner. It shall be unlawful for any person to offer for sale in Kansas any food for livestock manufactured within the state that is contained in sacks which have not been first thoroughly disinfected or fumigated in accordance with the requirements of the livestock animal health commissioner.

Sec. 70. K.S.A. 47-655 is hereby amended to read as follows: 47-655. It shall be unlawful for any person to sell or offer for sale any old or secondhand sacks until ~~the same such sacks~~ have been thoroughly disinfected or fumigated as required by the livestock animal health commissioner.

Sec. 71. K.S.A. 47-657 is hereby amended to read as follows: 47-657. (a) The state livestock animal health commissioner, whenever the commissioner deems it necessary, shall formulate and announce the rules under which approved test for brucellosis in cattle shall be applied and for all proceedings subsequent to such application:

(1) No person or laboratory other than those indicated for that purpose by the livestock animal health commissioner shall test cattle for brucellosis;

(2) all charts showing result of test and conditions existing at the time of test, together with a history and description of cattle, shall be submitted to the livestock animal health commissioner immediately upon completion of test and the livestock animal health commissioner shall render an opinion thereon, ~~which~~ Such decision shall be final, and shall be recorded in the office of the livestock animal health commissioner.

(b) The livestock animal health commissioner may at once apply the quarantine and other regulations issued under the provisions of law to animals found infected with

brucellosis.

Sec. 72. K.S.A. 47-658a is hereby amended to read as follows: 47-658a. Whenever the state ~~livestock commissioner shall have decided~~ animal health commissioner determines that any domestic animal is affected with brucellosis, ~~he or his authorized representatives~~ the animal health commissioner or the authorized representative of the animal health commissioner, may proceed at once to identify such reactor animal by causing ~~said such~~ reactor animal to be branded with the letter "B" on the left jaw by hot iron: ~~Provided,~~ The livestock animal health commissioner may approve the use of other methods for the identification of brucellosis reactors.

Sec. 73. K.S.A. 47-658b is hereby amended to read as follows: 47-658b. Any animal determined to be a reactor animal to brucellosis shall be sold for slaughter within ~~fifteen (15)~~ 15 days after being properly identified. Such animal being shipped to be sold for slaughter shall be accompanied by an official shipping permit issued by the ~~livestock animal health~~ commissioner or his the authorized representative of the animal health commissioner. Under unusual circumstances, the ~~livestock animal health~~ commissioner may extend the period for sale for slaughter up to a maximum of an additional thirty (30) 30 days following the proper identification of such reactor.

Sec. 74. K.S.A. 47-660 is hereby amended to read as follows: 47-660. The secretary of agriculture of the United States, authorized officers of the bureau of animal industry of such department, the state ~~livestock animal health~~ commissioner of Kansas and the authorized deputies of such officials shall have free access to enter upon the premises of any and all persons who own or are in possession of domestic animals and free access to inspect and examine all such domestic animals which are:

- (a) ~~Which are~~ Affected with any infectious or contagious disease; ~~or~~
- (b) ~~which are~~ suspected or reported to be affected with any infectious or contagious disease; ~~or~~
- (c) ~~which are~~ located within any area which has been designated as a tuberculosis modified accredited area or brucellosis modified accredited area by the secretary of agriculture of the United States, or by an officer or authority under the United States department of agriculture, animal plant health inspection service, veterinary services or by the state ~~livestock animal health~~ commissioner; ~~or~~
- (d) ~~which are~~ within a herd that has been designated as accredited tuberculosis free or accredited brucellosis free; or
- (e) ~~which are~~ located upon the premises of an owner who has a herd of domestic animals which has been accredited as tuberculosis free or brucellosis free.

Sec. 75. K.S.A. 47-666 is hereby amended to read as follows: 47-666. Whenever the ~~livestock animal health~~ commissioner has decided that any swine is affected with vesicular exanthema and that it is necessary to order the animals killed in order to prevent the spread of such disease in Kansas, the ~~livestock animal health~~ commissioner shall proceed with the appraisal, condemnation and killing of the same such swine as authorized under K.S.A. 47-614 and 47-615, and amendments ~~to such sections thereto~~. The owner of such diseased animals which have been so killed and disposed of shall be entitled to receive from the state of Kansas $\frac{1}{3}$ of the difference between the appraised value of the animals and the salvage proceeds, if any, received by the owner from the destruction and disposal of such animals.

The ~~livestock animal health~~ commissioner shall draw a voucher upon the director of accounts and reports of the state of Kansas in favor of the owner of such diseased

animals for the amount of indemnity for which such owner is entitled, and the director of accounts and reports is hereby authorized and directed to accept such vouchers so drawn by the state livestock animal health commissioner, such amounts to be paid for out of the funds appropriated for such purposes.

Sec. 76. K.S.A. 47-667 is hereby amended to read as follows: 47-667. As used in this act, unless the context otherwise requires: (a) "Commissioner" means the livestock animal health commissioner appointed by the ~~Kansas animal health board pursuant to K.S.A. 75-1901~~ secretary of agriculture pursuant to K.S.A. 74-5,119, and amendments thereto.

(b) "SPF" swine means specific pathogen free swine, which conform to the regulations and health standards prescribed by the commissioner.

(c) "Person" means any individual, partnership, firm, association or corporation.

Sec. 77. K.S.A. 2011 Supp. 47-672 is hereby amended to read as follows: 47-672. (a) The livestock animal health commissioner of the ~~Kansas animal health department~~ department of agriculture division of animal health is hereby authorized to supervise the operation of cattle and other animal dipping equipment which is used in the control and eradication of scabies in cattle and other animals and which is made available by the federal government for use by livestock producers and others under the supervision of the livestock animal health commissioner. The livestock animal health commissioner is hereby authorized to fix, charge and collect a fee from the owner of such cattle and other animals which are dipped as provided in this section, in an amount of not more than \$5 per head, to recover all or part of the costs of operating and maintaining such cattle and other animal dipping equipment.

(b) All moneys received by the livestock animal health commissioner for fees under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund, which is hereby created. All expenditures from the animal disease control fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the livestock animal health commissioner.

Sec. 78. K.S.A. 47-673 is hereby amended to read as follows: 47-673. (a) The livestock animal health commissioner is hereby authorized to take control of any pseudorabies infected herd of swine from the owner. A pseudorabies infected herd of swine is a herd that has been determined to be infected with pseudorabies virus by official pseudorabies testing procedures conducted at approved veterinary diagnostic laboratories from adequate samples collected from the herd by an accredited veterinarian.

(b) For any such herd, the livestock animal health commissioner shall develop and monitor a mandatory infected herd plan to eradicate the virus from the owner's premises. If, in the opinion of the livestock animal health commissioner, sufficient progress toward pseudorabies free status, as defined in the state-federal-industry pseudorabies eradication program as in effect on the effective date of this act, is not being made, the livestock animal health commissioner shall order the depopulation of such herd.

(c) Whenever any swine are depopulated under provisions of this act by order of

the livestock animal health commissioner, the owner of such swine shall be paid for such swine in an amount determined by the livestock animal health commissioner from funds appropriated for such purpose by the legislature.

(d) The livestock animal health commissioner may adopt rules and regulations as necessary to carry out the purposes of this act.

Sec. 79. K.S.A. 2011 Supp. 47-674 is hereby amended to read as follows: 47-674.

(a) The livestock animal health commissioner is authorized to cooperate with the United States department of agriculture, other state governmental officials, tribal officials and representatives of private industry, and subject to the provisions of subsection (d), to promulgate rules and regulations, to define premises where animals are located and to develop and implement a voluntary premises registration and animal identification and tracking system for Kansas.

(b) In the development of such system, the livestock animal health commissioner shall ensure that:

(1) The requirements are consistent with the federal program and with the United States animal identification plan;

(2) the costs and paperwork requirements are minimized for the registrant and the state; and

(3) the program is not duplicative of or in conflict with proposed federal requirements.

(c) The livestock animal health commissioner is authorized to prepare for the implementation of a premises registration program for Kansas prior to implementation of a national animal identification or premises registration system. Such acts in preparation shall include, but not be limited to, public hearings, educational meetings, development of proposed rules and regulations and cooperative development with the department of agriculture of a proposal regarding infrastructure necessary for such implementation.

(d) If; the United States department of agriculture issues proposed or final uniform methods and rules or regulations for the implementation of a voluntary national animal identification and tracking system or premises registration system, or the congress of the United States enacts requirements for a voluntary national animal identification and tracking system or premises registration system, the livestock animal health commissioner is authorized to promulgate such rules and regulations as may be reasonably necessary to implement voluntary premises registration and the national animal identification and tracking system to the extent authorized by federal requirements.

(e) Subject to appropriations therefor, the livestock animal health commissioner is authorized to hire, in accordance with the civil service act, not more than two employees for the purpose of carrying out the provisions of this section.

(f) The livestock animal health commissioner is authorized to enter into agreements with federal agencies or officials, other state agencies or officials, tribal officials or the owner of animals or such owner's authorized agent to coordinate efforts and share records and data systems pursuant to law to maximize the efficiency and effectiveness of this section.

(g) Any data or records provided or obtained pursuant to this section to an official of the Kansas department of agriculture division of animal health department shall be considered confidential by the Kansas department of agriculture division of animal

health department and shall not be disclosed to the public. The provisions of subsection (b) of K.S.A. 45-229, and amendments thereto, shall not apply to the provisions of this subsection.

(h) Any federal financial aid or assistance, grants, gifts, bequests, money or aid of any kind for premises registration or animal identification and tracking in Kansas, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the premises registration and animal identification fund, which fund is hereby created. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person designated by the livestock animal health commissioner and shall be used solely for the administration of the voluntary premises registration or animal identification and tracking system.

(i) The livestock animal health commissioner shall form study groups representing the various animal species to be affected by the provisions of this section. Each such study group shall include representatives for each such specie selected by the livestock animal health commissioner and shall include assistance from the secretary of agriculture or the secretary's designees. Each such study group shall make recommendations to the livestock animal health commissioner regarding the development of premises registration, animal identification and tracking for purposes of such systems, appropriations and fees necessary in administration of the program, enforcement provisions necessary in administration of the program and other issues related to the administration of the program.

~~(j) The livestock commissioner shall prepare a report and present such report to the legislature by February 1, 2006, on the status of the state and federal voluntary premises registration and animal identification and tracking systems. Such report shall include the recommendations of the livestock commissioner, appropriations and fees necessary in administration of the system, enforcement provisions necessary in administration of the system and any other recommendation deemed necessary by the livestock commissioner to carry out the provisions of this section.~~

Sec. 80. K.S.A. 2011 Supp. 47-816 is hereby amended to read as follows: 47-816. As used in the Kansas veterinary practice act:

(a) "Animal" means any mammalian animal other than human and any fowl, bird, amphibian, fish or reptile, wild or domestic, living or dead.

(b) "Board" means the state board of veterinary examiners.

(c) "Companion animal" means any dog, cat or other domesticated animal possessed by a person for purposes of companionship, security, hunting, herding or providing assistance in relation to a physical disability but shall exclude any animal raised on a farm or ranch and used or intended for use as food.

(d) "Clock hour of continuing education" means 60 minutes of participation in a continuing education program or activity which meets the minimum standards for continuing education according to rules and regulations adopted by the board.

(e) "Direct supervision" means the supervising licensed veterinarian:

(1) Is on the veterinary premises or in the same general area in a field setting;

(2) is quickly and easily available;

(3) examines the animal prior to delegating any veterinary practice activity to the

supervisee and performs any additional examination of the animal required by good veterinary practice; and

(4) delegates only those veterinary practice activities which are consistent with rules and regulations of the board regarding employee supervision.

(f) "Licensed veterinarian" means a veterinarian who is validly and currently licensed to practice veterinary medicine in this state.

(g) "Indirect supervision" means that the supervising licensed veterinarian:

(1) Is not on the veterinary premises or in the same general area in a field setting, but has examined the animal and provided either written or documented oral instructions or a written protocol for treatment of the animal patient, except that in an emergency, the supervising licensed veterinarian may provide oral instructions prior to examining the animal and subsequently examine the animal and document the instruction in writing;

(2) delegates only those veterinary practice tasks which are consistent with the rules and regulations of the board regarding employee supervision; and

(3) the animal being treated is not anesthetized as defined in rules and regulations.

(h) "Practice of veterinary medicine" means any of the following:

(1) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance or technique on any animal, including, but not limited to, acupuncture, surgical or dental operations, animal psychology, animal chiropractic, theriogenology, surgery, including cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for pregnancy or for correcting sterility or infertility or to render service or recommendations with regard to any of the above and all other branches of veterinary medicine.

(2) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in paragraph (1).

(3) To use any title, words, abbreviation or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in paragraph (1). Such use shall be *prima facie* evidence of the intention to represent oneself as engaged in the practice of veterinary medicine.

(4) To collect blood or other samples for the purpose of diagnosing disease or conditions. This shall not apply to unlicensed personnel employed by the United States department of agriculture, ~~the Kansas animal health department~~ or the Kansas department of agriculture who are engaged in such personnel's official duties.

(5) To apply principles of environmental sanitation, food inspection, environmental pollution control, animal nutrition, zoonotic disease control and disaster medicine in the promotion and protection of public health in the performance of any veterinary service or procedure.

(i) "School of veterinary medicine" means any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent, which conforms to the standards required for accreditation by the American veterinary medical association and which is recognized and approved by the board.

(j) "Veterinarian" means a person who has received a doctor of veterinary medicine degree or the equivalent from a school of veterinary medicine.

(k) "Veterinary premises" means any premises or facility where the practice of

veterinary medicine occurs, including, but not limited to, a mobile clinic, outpatient clinic, satellite clinic or veterinary hospital or clinic, but shall not include the premises of a veterinary client, research facility, a federal military base, Kansas state university college of veterinary medicine or any premises wherein the practice of veterinary medicine occurs no more than three times per year as a public service outreach of a registered veterinary premises.

(l) "Graduate veterinary technician" means a person who has graduated from an American veterinary medical association accredited school approved by the board.

(m) "Registered veterinary technician" means a person who is a graduate veterinary technician, has passed the examinations required by the board for registration and is registered by the board.

(n) "Veterinary-client-patient relationship" means:

(1) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal or animals and the need for medical treatment, and the client, owner or other caretaker has agreed to follow the instruction of the veterinarian;

(2) there is sufficient knowledge of the animal or animals by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals. This means that the veterinarian has recently seen or is personally acquainted with the keeping and care of the animal or animals by virtue of an examination of the animal or animals, or by medically appropriate and timely visits to the premises where the animal or animals are kept, or both; and

(3) the practicing veterinarian is readily available for followup in case of adverse reactions or failure of the regimen of therapy.

(o) "Veterinary prescription drugs" means such prescription items as defined by 21 U.S.C. ~~See~~ § 353, as in effect on July 1, 2001.

(p) "Veterinary corporation" means a professional corporation of licensed veterinarians incorporated under the professional corporation act of Kansas, cited at K.S.A. 17-2706 *et seq.*, and amendments thereto.

(q) "Veterinary partnership" means a partnership pursuant to the Kansas uniform partnership act, cited at K.S.A. 56a-101 *et seq.*, and amendments thereto, formed by licensed veterinarians engaged in the practice of veterinary medicine.

(r) "Person" means any individual, corporation, partnership, association or other entity.

Sec. 81. K.S.A. 47-1001 is hereby amended to read as follows: 47-1001. As used in this act, except where the context clearly indicates a different meaning:

(a) "Commissioner" means the ~~livestock~~ animal health commissioner of the state of Kansas.

(b) "Livestock" means and includes cattle, swine, sheep, goats, horses, mules, domesticated deer, all creatures of the ratite family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas, and any other animal as deemed necessary by the commissioner established through rules and regulations.

(c) "Person" means and includes any individual, partnership, corporation or association.

(d) "Producer" means any person engaged in the business of breeding, grazing or feeding livestock.

(e) "Consignor" means any person who ships or delivers to any public livestock

market livestock for handling, sale or resale at a public livestock market.

(f) "Public livestock market" means any place, establishment or facility commonly known as a "livestock market," "livestock auction market," "sales ring," "stockyard," "community sale" as such term is used in article 10 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto, which includes any business conducted or operated for compensation or profit as a public market for livestock, consisting of pens, or other enclosures, and their appurtenances, in which livestock are received, held, sold or kept for sale or shipment except that this term shall not apply to any livestock market where federal veterinary inspection is regularly maintained.

(g) "Public livestock market operator" means any person who, in this state, receives on consignment, or solicits from the producer or consignor thereof, or holds in trust or custody for another, any livestock for sale or exchange, on behalf of such producer or consignor at a public livestock market, or sells, or offer for sale, at a public livestock market, for the account of the producer or consignor thereof, any livestock or directly or indirectly owns, conducts or operates a public livestock market. The term "public livestock market operator" shall not be construed to include any packer or agent of a packer who receives or purchases livestock for prompt slaughter.

(h) "Packer" means any person engaged in the business of buying livestock for purposes of slaughter, or of manufacturing or preparing meats or meat food products for sale or shipment, or of manufacturing or preparing livestock products for sale or shipment, or of marketing meats, meat food products, livestock products, dairy products, poultry or poultry products.

(i) "Board" means any three members of the Kansas animal health board designated by the chairperson of the Kansas animal health board for each particular hearing. The chairperson may be included in such designation.

(j) "Dealer" as used in article 10 of chapter 47 of the Kansas Statutes Annotated, ~~to which this act is amendatory and supplemental~~ and amendments thereto, shall have the same meaning as the term "public livestock market operator."

(k) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for breeding stock; for any carcass, skin or part of such animal; for exhibition; or for companionship.

(l) "Occasional livestock sale" means livestock auctions or sales, that receive on consignment, or solicits from the producer or consignor thereof, or holds in trust or custody for another, any livestock for sale or exchange, on behalf of such producer or consignor at such auction or sale, or sells, or offers for sale, at such auction or sale, for the account of the producer or consignor thereof, any livestock or directly or indirectly owns, conducts or operates such auction or sale and such auctions or sales are held 12 or less times per year.

(m) "Electronic auction" means a live audio-visual broadcast of an actual auction where livestock are offered for sale and shall include auctions conducted by satellite communications and over the internet.

Sec. 82. K.S.A. 47-1001d is hereby amended to read as follows: 47-1001d. (a) The livestock animal health commissioner, through rules and regulations, may exempt occasional livestock sales or issue a license for such occasional livestock sales at a fee of not more than \$100 without a hearing.

(b) All livestock consigned and delivered on the premises of any licensed occasional livestock sale, before being offered for sale, shall be inspected by a licensed

veterinarian who shall visually examine each animal consigned to such sale, for the purpose of determining its condition of health and freedom of clinical signs of infectious or contagious animal diseases that are determined to be reportable by the livestock animal health commissioner. Such veterinarian may issue certificates of inspections, on a form to be approved by the commissioner.

(c) Licensed occasional livestock sales shall not: (1) Collect a fee per head pursuant to K.S.A. 47-1011, and amendments thereto; (2) collect an inspection fee per head pursuant to K.S.A. 47-1008, and amendments thereto; or (3) be required to furnish a bond in the manner required by K.S.A. 47-1002, and amendments thereto.

Sec. 83. K.S.A. 2011 Supp. 47-1001e is hereby amended to read as follows: 47-1001e. (a) Each livestock market operator shall pay annually, on or before June 30, a renewal market license fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner of not more than \$250 to the commissioner for each public livestock market operated by such operator, which payment shall constitute a renewal until June 30 of the following year. The renewal market license fee established by this section on the day preceding the effective date of this act shall continue in effect until a different renewal market license fee is set as provided under this section.

(b) Any person who owns or operates an electronic auction which is simulcast into the state of Kansas and at which livestock located in the state of Kansas are offered for sale, shall apply to the livestock animal health commissioner for an electronic auction license. A license shall be granted to such person upon a showing that such person meets the bond requirements, as established in K.S.A. 47-1002, and amendments thereto, and has paid an annual fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner of not more than \$250. Any such license shall expire on June 30 of each year.

Sec. 84. K.S.A. 2011 Supp. 47-1008 is hereby amended to read as follows: 47-1008. (a) Livestock shall not be offered for sale or sold at any licensed public livestock market if such livestock:

- (1) Is infected with a disease that permanently renders the livestock unfit for human consumption;
- (2) has severe neoplasia;
- (3) has severe actinomycosis;
- (4) is unable to rise to its feet by itself; or
- (5) has an obviously fractured long bone or other fractures or dislocation of a joint that renders the livestock unable to bear weight on the affected limb without that limb collapsing.

(b) If, in the judgment of an accredited veterinarian, the livestock consigned and delivered on the premises of any licensed public livestock market is in any of the conditions described in subsection (a), such veterinarian shall euthanize humanely the livestock or direct the consignor to immediately remove the livestock from the premises of the public livestock market. All expenses incurred for euthanasia and disposal of the livestock under the provisions of this subsection shall be the responsibility of the consignor. Collection of expenses shall not be the responsibility of the consignee.

(c) All livestock consigned and delivered on the premises of any licensed public livestock market, before being offered for sale, shall be inspected by a veterinarian authorized by the commissioner who shall visually examine or test, or both, each

animal consigned to such market, for the purpose of determining its condition of health and freedom of clinical signs of infectious or contagious animal diseases that are determined to be reportable by the livestock animal health commissioner. Such regulatory veterinary services shall be contracted for by the livestock animal health commissioner who shall select an accredited veterinarian for each public livestock market. The public livestock market operator, for each public livestock market, shall submit to the livestock animal health commissioner a list of accredited veterinarians to be considered for the position or positions. Such veterinarian shall be authorized to make all required examinations and tests, and to issue certificates of inspection at the public livestock market where such veterinarian serves. All livestock sold, resold, exchanged or transferred, or offered for sale or exchange at a livestock market shall be treated as may be necessary to prevent the spread of contagious or infectious diseases. A certificate of inspection, on a form to be approved by the commissioner, shall be issued to the purchaser by the inspector. For the visual inspection of livestock offered for sale, there shall be collected by the market operator from the consignor a fee which shall be determined by negotiation between the market operator and the market veterinarian but shall not be less than \$.07 per head, except that no fee for inspection shall be collected unless the inspection actually has been made. If the charges per head collected on all livestock inspected at a livestock market on any sales day do not amount to a minimum per diem of \$40 or any amount greater than \$40 negotiated by the operator, the market operator shall be required to supply sufficient funds to provide such amount. Any amount lesser or greater than the \$40 amount specified, shall be determined by negotiation between the market operator and the market veterinarian. A copy of any agreement or contract shall be on file with the commissioner. Payments for veterinary services rendered under a contract as provided in this section shall be paid from the veterinary inspection fee fund, and for such services rendered prior to the end of a fiscal year, payment may be made within 90 days after the end of the fiscal year.

(d) Livestock market operators shall pay amounts received and amounts due under this section to the livestock animal health commissioner. The commissioner shall remit all such amounts received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the veterinary inspection fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner or by a person or persons designated by such commissioner.

(e) The livestock animal health commissioner shall promulgate rules and regulations as may be necessary to carry out the purposes of this section, including, but not limited to, rules and regulations designating any disease as a disease that renders livestock or the carcasses thereof permanently unfit for human consumption. The livestock animal health commissioner shall promulgate all such rules and regulations in accordance with existing antemortem inspection regulations promulgated by the United States department of agriculture food safety and inspection service, as in effect on July 1, 1997.

(f) All livestock sold by a licensed electronic auction, before being delivered to an out-of-state buyer, shall have a health certificate issued by a licensed, accredited veterinarian. Kansas buyers shall be furnished a health certificate upon request.

Sec. 85. K.S.A. 2011 Supp. 47-1011a is hereby amended to read as follows: 47-1011a. (a) The public livestock market operator shall collect from the consignor of cattle sold at a public livestock market, where brand inspection of such cattle is requested, by the public livestock market operator, as a brand inspection fee, in addition to amounts specified in K.S.A. 47-1011, and amendments thereto, a sum of not more than \$.40 per head on all such cattle. Such amount shall be determined by the livestock animal health commissioner. If a public livestock market operator requests brand inspection at a public livestock market pursuant to this section, the public livestock market operator shall contract with the livestock animal health commissioner to perform such brand inspection services.

(b) Where cattle consigned to, or sold at, such public livestock market originate in, and have brand inspection clearance from a county option brand inspection area, operating under K.S.A. 47-434 through 47-445, and amendments thereto, such livestock brand inspection fee under this section shall not be required.

(c) The public livestock market operator shall pay all amounts received under this section to the livestock animal health commissioner.

(d) The livestock animal health commissioner shall remit all amounts received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the livestock market brand inspection fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock animal health commissioner or by a person or persons designated by the commissioner.

Sec. 86. K.S.A. 2011 Supp. 47-1201 is hereby amended to read as follows: 47-1201. As used in this act, except where the context clearly indicates a different meaning:

(a) "Commissioner" means the livestock animal health commissioner of the state of Kansas.

(b) "Person" means any individual, partnership, firm, corporation or association.

(c) "Disposal plant" means a place of business or a location where the carcasses of domestic animals or packing house refuse is purchased, received or unloaded and where such carcasses or refuse are processed for the purpose of obtaining the hide, skin, grease, residue, or any other byproduct from the animal or refuse, in any way whatsoever.

(d) "Substation" means a concentration site equipped with at least one storage building and operated and maintained for the temporary deposit or storage of the carcasses of domestic animals pending final delivery of the carcasses to the disposal plant.

(e) "Place of transfer" means a reloading site, authorized for use in direct transferring of carcasses of domestic animals from vehicles making original pickup or loading to a line vehicle for the transportation of the carcasses to the disposal plant.

(f) "Carcasses of domestic animals" means bodies, or any part or portion thereof, of dead domestic animals not slaughtered for human food.

Sec. 87. K.S.A. 2011 Supp. 47-1218 is hereby amended to read as follows: 47-1218. (a) All moneys received by the livestock animal health commissioner under article 12 of chapter 47 of Kansas Statutes Annotated, and amendments thereto, shall be

remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

(b) On July 1, 1986, the director of accounts and reports shall transfer all moneys in the animal health department fee fund to the animal disease control fund. On July 1, 1986, all liabilities of the animal health department fee fund are hereby imposed upon the animal disease control fund, and the animal health department fee fund is hereby abolished.

Sec. 88. K.S.A. 2011 Supp. 47-1302 is hereby amended to read as follows: 47-1302. (a) Except as provided in subsection (b) ~~or (e)~~, it shall be unlawful for any person, firm, partnership or corporation to feed garbage to animals.

(b) ~~Any person, firm, partnership or corporation who on the effective date of this act is registered as a garbage feeding operator may continue to feed garbage to animals through October 31, 2001, if such garbage has been heated to a temperature of 212 degrees Fahrenheit (boiling point) for at least 30 minutes as provided by rules and regulations promulgated by the state livestock commissioner.~~

~~(e)~~ Nothing in this section shall prohibit an individual from feeding such individual's own animals only the garbage obtained from such individual's own household.

Sec. 89. K.S.A. 2011 Supp. 47-1303 is hereby amended to read as follows: 47-1303. (a) It shall be unlawful for the governing body of any city, or any official or employee of a city, to enter into any contract or agreement for the collection or disposal of garbage unless such contract or agreement requires a disposal of garbage in accordance with rules and regulations of the state ~~livestock~~ animal health commissioner, when disposed of by other means.

(b) It shall be unlawful for any person to give, sell or transfer garbage to another person, if such person knows that such other person is commercially feeding the garbage to a cloven hoofed animal.

Sec. 90. K.S.A. 2011 Supp. 47-1304 is hereby amended to read as follows: 47-1304. The state ~~livestock~~ animal health commissioner is hereby authorized to promulgate and enforce all rules and regulations deemed necessary to carry out the provisions of K.S.A. 47-1301 through 47-1307, and amendments thereto.

Sec. 91. K.S.A. 47-1501 is hereby amended to read as follows: 47-1501. As used in this act:

(a) "Feedlot" means: (1) A livestock feedlot, or feed yard, having more than 1,000 head of livestock at one time during the licensed year; or (2) any other livestock feedlot whose operator elects to come under this act.

(b) "Feed yard feeding" means the feeding of livestock in lots or pens which are not used normally for raising crops and in which no vegetation, intended for livestock feed, is growing.

(c) "Livestock" means cattle, swine, sheep and horses.

(d) "Operator" means the owner, or the person having charge or control, of a feedlot.

(e) "Person" means an individual, a corporation, a group of individuals, joint venturers, a partnership or any other business entity.

(f) "Commissioner" means the state ~~livestock~~ animal health commissioner.

(g) "Board" means the Kansas animal health board.

Sec. 92. K.S.A. 2011 Supp. 47-1503 is hereby amended to read as follows: 47-1503. (a) It shall be unlawful for any person to operate a feedlot within the state of Kansas without having first obtained a license from the livestock animal health commissioner authorizing and permitting such operation.

(b) An operator of any feedlot in the state of Kansas, or a person desiring to operate a feedlot in the state of Kansas, shall obtain, from the livestock animal health commissioner, a license to operate a feedlot, unless exempted therefrom. The owner or operator of any livestock feedlot, with a capacity of less than 1,000 head of livestock, may apply for and obtain a license for feedlot operations, if such owner or operator chooses and elects to come under the terms and provisions of this act, but the licensing for operations at a capacity of less than 1,000 head shall not be required.

(c) Application for a livestock feedlot license shall be filed with the livestock animal health commissioner, on a form prescribed and furnished by the commissioner. Upon the filing of such an application and payment of the required fees, the commissioner shall issue a livestock feedlot license to such applicant, provided the application discloses information assuring the commissioner that the operation of such feedlot will be conducted in accordance with the standards set forth elsewhere in this act, and with rules and regulations adopted by the commissioner.

(d) Feedlot licenses shall be issued for the term of one year, to expire on June 30 following the date of issuance. Feedlot licenses may be continued in force by annual renewal or extension of such license with the payment of an annual license fee, and with continued compliance by the operator with the provisions of this act, ~~and acts amendatory of the provisions thereof and supplemental thereto~~, and rules and regulations adopted hereunder.

(e) Each cattle feedlot operator, who shall be granted a license, shall pay a fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner for such license and for annual renewal thereof, in accordance with and subject to the following schedule of maximum fees:

<i>Feedlot capacity</i>	<i>Maximum fee</i>
Under 1,000 head	\$75
1,000 to 2,999 head	\$350
3,000 to 5,999 head	\$650
6,000 to 9,999 head	\$750
10,000 to 17,999 head	\$1,100
18,000 to 29,999 head	\$1,500
30,000 to 49,999 head	\$1,650
50,000 to 99,999 head	\$1,800
100,000 head and over	\$2,000

The fees established by this subsection on the day preceding the effective date of this act shall continue in effect until different fees are set as provided under this subsection.

(f) For the purposes of this subsection, "animal unit" means the number of swine weighing more than 55 pounds multiplied by 0.4; plus the number of swine weighing 55 pounds or less multiplied by 0.1; plus the number of sheep or lambs multiplied by 0.1; plus the number of goats multiplied by 0.1. Each swine, sheep and goat feedlot operator, who shall be granted a license, shall pay a fee in an amount set by the Kansas animal health board and adopted by rules and regulations of the commissioner for such

license and for annual renewal thereof, in accordance with and subject to the following schedule of maximum fees:

<i>Feedlot capacity</i>	<i>Maximum fee</i>
300 to 999 Animal units	\$75
1,000 to 2,999 Animal units	\$350
3,000 to 5,999 Animal units	\$650
6,000 to 9,999 Animal units	\$750
10,000 to 17,999 Animal units	\$1,100
18,000 to 29,999 Animal units	\$1,500
30,000 to 49,999 Animal units	\$1,650
50,000 to 99,999 Animal units	\$1,800
100,000 Animal units and over	\$2,000

(g) If an original feedlot license expires within six months after date of issuance, only 50% of the applicable license fee shall be required. An application for feedlot license shall not be approved, nor shall a license be issued to any applicant unless the application is accompanied by the applicable license fee under the schedule of fees in this section. Each licensed feedlot operator shall pay an annual license fee in accordance with the schedule of fees in this section and, upon payment of such fee and a showing of compliance with other requirements, shall be entitled to a renewal or extension of such operator's license for the ensuing license year.

(h) The ~~livestock~~ animal health commissioner shall remit all moneys received by or for the commissioner under article 15 of chapter 47 of Kansas Statutes Annotated, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 93. K.S.A. 47-1506 is hereby amended to read as follows: 47-1506. (a) The animal health commissioner shall have the power to: (1) Receive applications for feedlot licenses; (2) issue licenses to qualifying applicants; (3) make and enforce reasonable regulations pertaining to the operation of feedlots, within the framework of the standards set forth in this act, and acts amendatory and supplemental thereto; (4) make rules of procedure for the administration and enforcement of this act; and (5) determine adequateness of the compliance with the requirements fixed in standards prescribed in this act.

(b) The commissioner shall have the duty to: (1) Prepare, design and have printed application forms which shall be available to feedlot operators and to applicants for such a license. Such forms shall provide for answers and statements by applicants, to disclose whether such applicants can, and are capable of complying with standards of operation set forth in this act, and as set forth in the regulations made by such commissioner under authority of this act; (2) keep, maintain and compile all necessary records; and (3) undertake and carry through research studies, investigations and surveys which are needed and required for the proper administration of this act.

(c) The commissioner shall have the power to call upon the university of Kansas and Kansas state university for aid and assistance in conducting such research studies and surveys.

(d) The commissioner, or authorized agents or employees, are authorized to investigate all complaints concerning the operation of feedlots within the state of

Kansas when an operator of such a feedlot is charged with any violations of the provisions of this act. The commissioner shall have the power to enter upon feedlot premises and to investigate the methods of operation of all such feedlots.

(e) The commissioner shall have the power and the duty to suspend or revoke the license of any feedlot operator, after a hearing, and after an administrative determination that such an operator has violated, or has failed to comply with any of the provisions of this act, or any regulation adopted thereunder. The commissioner shall have the power and duty to reinstate any such suspended or revoked licenses, upon a satisfactory and acceptable showing and assurance that such feedlot operator conducted feedlot operations in conformity with, and in compliance with, the provisions of this act and regulations adopted thereunder, and that such conformity and compliance will be continuous. A feedlot license shall not be suspended or revoked by the commissioner, until charges have been submitted, in writing, concerning alleged violations, and until the licensee shall have been given an opportunity to be heard in such licensee's defense in accordance with the provisions of the Kansas administrative procedure act.

Sec. 94. K.S.A. 47-1511 is hereby amended to read as follows: 47-1511. Upon request of the ~~livestock animal health~~ commissioner, the secretary of health and environment shall make staff engineers available to assist: (1) An operator of any feedlot in the state of Kansas; and (2) any person who has applied for a license to operate a feedlot in the state of Kansas, in the development of plans and in the design for the construction of facilities for a feedlot in order to control pollution of streams and lakes. Nothing in this act shall be construed as limiting the authority of the secretary of health and environment in matters of stream and lake pollution as provided for in K.S.A. 65-161 ~~to through~~ 65-171h, ~~inclusive~~, and amendments thereto.

Sec. 95. K.S.A. 47-1701 is hereby amended to read as follows: 47-1701. As used in the Kansas pet animal act, unless the context otherwise requires:

(a) "Adequate feeding" means supplying, at suitable intervals (not to exceed 24 hours), of a quantity of wholesome foodstuff, suitable for the animal species and age, and sufficient to maintain a reasonable level of nutrition in each animal.

(b) "Adequate watering" means a supply of clean, fresh, potable water, supplied in a sanitary manner and either continuously accessible to each animal or supplied at intervals suitable for the animal species, not to exceed intervals of 12 hours.

(c) "Ambient temperature" means the temperature surrounding the animal.

(d) (1) "Animal" means any live dog, cat, rabbit, rodent, nonhuman primate, bird or other warm-blooded vertebrate or any fish, snake or other cold-blooded vertebrate.

(2) Animal does not include horses, cattle, sheep, goats, swine, ratites, domesticated deer or domestic fowl.

(e) "Animal breeder" means any person who operates animal breeder premises.

(f) "Animal breeder premises" means any premises where all or part of six or more litters of dogs or cats, or both, or 30 or more dogs or cats, or both, are sold, or offered or maintained for sale, primarily at wholesale for resale to another.

(g) "Animal shelter" or "pound" means a facility which is used or designed for use to house, contain, impound or harbor any seized stray, homeless, relinquished or abandoned animal or a person who acts as an animal rescuer, or who collects and cares for unwanted animals or offers them for adoption. Animal shelter or pound also includes a facility of an individual or organization, profit or nonprofit, maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing or

maintaining the animals or offering the animals for adoption.

(h) "Cat" means an animal which is wholly or in part of the species *Felis domesticus*.

(i) "Commissioner" means the livestock animal health commissioner appointed by the Kansas animal health board secretary of agriculture.

(j) "Dog" means any animal which is wholly or in part of the species *Canis familiaris*, but does not include any greyhound, as defined by K.S.A. 74-8802, and amendments thereto.

(k) "Animal control officer" means any person employed by, contracted with or appointed by the state, or any political subdivision thereof, for the purpose of aiding in the enforcement of this law, or any other law or ordinance relating to the licensing or permitting of animals, control of animals or seizure and impoundment of animals, and includes any state, county or municipal law enforcement officer, dog warden, constable or other employee, whose duties in whole or in part include assignments which involve the seizure or taking into custody of any animal.

(l) "Euthanasia" means the humane destruction of an animal, which may be accomplished by any of those methods provided for in K.S.A. 47-1718, and amendments thereto.

(m) "Hobby breeder premises" means any premises where all or part of 3, 4 or 5 litters of dogs or cats, or both, are produced for sale or sold, offered or maintained for sale. This provision applies only if the total number of dogs or cats, or both, sold, offered or maintained for sale is less than 30 individual animals.

(n) "Hobby breeder" means any person who operates a hobby breeder premises.

(o) "Housing facility" means any room, building or area used to contain a primary enclosure or enclosures.

(p) "Kennel operator" means any person who operates an establishment where four or more dogs or cats, or both, are maintained in any one week for boarding, training or similar purposes for a fee or compensation.

(q) "Kennel operator premises" means the facility of a kennel operator.

(r) "License year" or "permit year" means the 12-month period ending on June 30.

(s) "Person" means any individual, association, partnership, corporation or other entity.

(t) (1) "Pet shop" means any premises where there are sold, or offered or maintained for sale, at retail and not for resale to another:

(A) Any dogs or cats, or both; or (B) any other animals except those which are produced and raised on such premises and are sold, or offered or maintained for sale, by a person who resides on such premises.

(2) Pet shop does not include: (A) Any pound or animal shelter; (B) any premises where only fish are sold, or offered or maintained for sale; or (C) any animal distributor premises, hobby breeder premises, retail breeder premises or animal breeder premises.

(3) Nothing in this section prohibits inspection of those premises which sell only fish to verify that only fish are being sold.

(u) "Pet shop operator" means any person who operates a pet shop.

(v) "Primary enclosure" means any structure used or designed for use to restrict any animal to a limited amount of space, such as a room, pen, cage, compartment or hutch.

(w) "Research facility" means any place, laboratory or institution, except an elementary school, secondary school, college or university, at which any scientific test,

experiment or investigation involving the use of any living animal is carried out, conducted or attempted.

(x) "Sale," "sell" and "sold" include transfers by sale or exchange. Maintaining animals for sale is presumed whenever 20 or more dogs or cats, or both, are maintained by any person.

(y) "Sanitize" means to make physically clean and to remove and destroy, to a practical minimum, agents injurious to health, at such intervals as necessary.

(z) "Animal distributor" means any person who operates an animal distributor premises.

(aa) "Animal distributor premises" means the premises of any person engaged in the business of buying for resale dogs or cats, or both, as a principal or agent, or who holds such distributor's self out to be so engaged.

(bb) "Out-of-state distributor" means any person residing in a state other than Kansas, who is engaged in the business of buying for resale dogs or cats, or both, within the state of Kansas, as a principal or agent.

(cc) "Food animals" means rodents, rabbits, reptiles, fish or amphibians that are sold or offered or maintained for sale for the sole purpose of being consumed as food by other animals.

(dd) (1) "Adequate veterinary medical care" means:

(A) A documented program of disease control and prevention, euthanasia and routine veterinary care shall be established and maintained under the supervision of a licensed veterinarian, on a form provided by the commissioner, and shall include a documented on-site visit to the premises by the veterinarian at least once a year; and

(B) that diseased, ill, injured, lame or blind animals shall be provided with veterinary care as is needed for the health and well-being of the animal.

(2) As used in the Kansas pet animal act, "adequate veterinary medical care" shall not apply to United States department of agriculture licensed animal breeders or animal distributors.

(ee) "Ratites" means all creatures of the ratite family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas.

(ff) "Retail breeder" means any person who operates a retail breeder premises.

(gg) "Retail breeder premises" means any premises where all or part of six or more litters or 30 or more dogs or cats, or both, are sold, or offered or maintained for sale, primarily at retail and not for resale to another.

(hh) "Retail" means any transaction where the animal is sold to the final consumer.

(ii) "Wholesale" means any transaction where the animal is sold for the purpose of resale to another.

Sec. 96. K.S.A. 2011 Supp. 47-1706a is hereby amended to read as follows: 47-1706a. (a) When an animal is seized or impounded pursuant to K.S.A. 47-1706, 47-1707 or 47-1715, and amendments thereto, the owner or person who was in possession of the animal at the time such animal was seized or impounded may post a cash or security bond as provided in this section which shall prevent the sale, placement or euthanasia of the animal. Such cash or security bond shall be in an amount sufficient to pay for the animal's care and keeping for a period of at least 30 days, commencing on the date which the animal was seized or impounded. Any such security bond or any security bond as provided in subsection (b) shall be approved by the Kansas ~~animal health department~~ department of agriculture division of animal health.

(b) Such bond shall be filed with the Kansas ~~animal health department~~ department of agriculture division of animal health and shall be posted on or before the date of the disposition hearing or within ~~ten~~ 10 days after the animal is seized or impounded, whichever is earlier. At the end of the time for which expenses are covered by the bond if the owner or person who was in possession of the animal at the time it was seized or impounded desires to prevent disposition of the animal, such owner or person shall post a new cash or security bond prior to the previous bond's expiration. At the end of the time for which expenses are covered by the bond, the animal may be sold, placed or euthanized.

(c) The authority seizing or impounding an animal shall give notice by delivering a copy of this section to a person residing on the property where the animal was seized or by posting a copy at the place where the animal was seized.

(d) Nothing in this section shall prevent the euthanasia at any time of an animal seized or impounded which is determined by a licensed veterinarian to be diseased or disabled beyond recovery for any useful purpose.

(e) This act is supplemental to and shall become a part of the Kansas pet animal act.

Sec. 97. K.S.A. 2011 Supp. 47-1709 is hereby amended to read as follows: 47-1709. (a) The commissioner or the commissioner's authorized, trained representatives shall make an inspection of the premises for which an application for an original license or permit is made under K.S.A. 47-1701 *et seq.*, and amendments thereto, before issuance of such license or permit. The application for a license shall conclusively be deemed to be the consent of the applicant to the right of entry and inspection of the premises sought to be licensed or permitted by the commissioner or the commissioner's authorized, trained representatives at reasonable times with the owner or owner's representative present. Refusal of such entry and inspection shall be grounds for denial of the license or permit. Notice need not be given to any person prior to inspection.

(b) The commissioner or the commissioner's authorized, trained representatives may make an inspection of each premises for which a license or permit has been issued under K.S.A. 47-1701 *et seq.*, and amendments thereto. If such premises are premises of a person licensed or permitted under public law 91-579 (7 U.S.C. § 2131 *et seq.*), such premises may be inspected at least once each year. Otherwise, the premises may be inspected at least twice each year. The acceptance of a license or permit shall conclusively be deemed to be the consent of the licensee or permittee to the right of entry and inspection of the licensed or permitted premises by the commissioner or the commissioner's authorized, trained representatives at reasonable times with the owner or owner's representative present. Refusal of such entry and inspection shall be grounds for suspension or revocation of the license or permit. Notice need not be given to any person prior to inspection.

(c) The commissioner or the commissioner's authorized, trained representatives shall make inspections of the premises of a person required to be licensed or permitted under K.S.A. 47-1701 *et seq.*, and amendments thereto, upon a determination by the commissioner that there are reasonable grounds to believe that the person is violating the provisions of K.S.A. 47-1701 *et seq.*, and amendments thereto, or rules and regulations adopted thereunder or that there are grounds for suspension or revocation of such person's license or permit.

(d) Any complaint filed with the commissioner shall be confidential and shall not be released to any person other than employees of the commissioner as necessary to

carry out the duties of their employment.

(e) Any person making inspections under this section shall be trained by the commissioner in reasonable standards of animal care.

(f) The commissioner may request a licensed veterinarian to assist in any inspection or investigation made by the commissioner or the commissioner's authorized representative under this section.

(g) Any person acting as the commissioner's authorized representative for purposes of making inspections and conducting investigations under this section who knowingly falsifies the results or findings of any inspection or investigation or who intentionally fails or refuses to make an inspection or conduct an investigation pursuant to this section shall be guilty of a class A nonperson misdemeanor.

(h) No person shall act as the commissioner's authorized representative for the purposes of making inspections and conducting investigations under this section if such person has a beneficial interest in a person required to be licensed or permitted pursuant to K.S.A. 47-1701 *et seq.*, and amendments thereto.

(i) Records of inspections pursuant to this section shall be maintained in the office of the Kansas ~~animal health department~~ department of agriculture division of animal health. Records of a deficiency or violation shall not be maintained for longer than three years after the deficiency or violation is remedied.

(j) The commissioner shall, in consultation with Kansas state university college of veterinary medicine: (1) Continue procedures to provide for pet animal training or updated training for authorized trained representatives who inspect premises under the pet animal act and to allow the owners of such facilities licensed or permitted under the pet animal act to attend and participate at the training workshops for the authorized trained representatives; and (2) make available to such owners and other interested persons an inspection handbook describing the duties and responsibilities of such authorized trained representatives.

Sec. 98. K.S.A. 2011 Supp. 47-1721 is hereby amended to read as follows: 47-1721. (a) Each application for issuance or renewal of a license or permit required under K.S.A. 47-1701 *et seq.*, and amendments thereto, shall be accompanied by the fee prescribed by the commissioner under this section. Such fees shall be as follows:

(1) Except as provided in paragraph (5) or (6), for a license for premises of a person licensed under public law 91-579 (7 U.S.C. § 2131 *et seq.*), an amount not to exceed \$200;

(2) except as provided in paragraph (5) or (6), for a license for any other premises, an amount not to exceed \$405;

(3) for a temporary closing permit, an amount not to exceed \$95;

(4) for an out-of-state distributor permit, an amount not to exceed \$675;

(5) for a hobby breeder license or a kennel operator license an amount not to exceed \$95;

(6) for a license for an animal shelter or a pound, an amount not to exceed \$300; and

(7) a late fee of \$70 shall be assessed to any person whose permit or license renewal is more than 45 days¹ late.

(b) The commissioner shall determine annually the amount necessary to carry out and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto, for the next ensuing fiscal year and shall fix by rules and regulations the license and permit fees for such year at

the amount necessary for that purpose, subject to the limitations of this section. In fixing such fees, the commissioner may establish categories of licenses and permits, based upon the type of license or permit, size of the licensed or permitted business or activity and the premises where such business or activity is conducted, and may establish different fees for each such category. The fees in effect immediately prior to the effective date of this act shall continue in effect until different fees are fixed by the commissioner as provided by this subsection.

(c) If a licensee, permittee or applicant for a license or permit requests an inspection of the premises of such licensee, permittee or applicant, the commissioner shall assess the costs of such inspection, as established by rules and regulations of the commissioner, to such licensee, permittee or applicant.

(d) No fee or assessment required pursuant to this section shall be refundable.

(e) The commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal dealers fee fund, which is hereby created in the state treasury. Moneys in the animal dealers fee fund may be expended only to administer and enforce K.S.A. 47-1701 *et seq.*, and amendments thereto. All expenditures from the animal dealers fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the Kansas ~~livestock~~ animal health commissioner or the commissioner's designee.

(f) Premises required to be licensed under the Kansas pet animal act shall not be required to pay for more than one license. If more than one operation is ongoing at the premises, each operation shall comply with the applicable statutes and rules and regulations pertaining to such operation.

(g) Except as provided further, when a premises required to be licensed or permitted under the Kansas pet animal act applies for an initial license or permit, the commissioner shall prorate to the nearest whole month the license or permit fee established in subsection (a). The commissioner shall have discretion to determine whether the application is an initial application or an application for a premises which has been doing business but is not licensed or permitted. If the commissioner determines the premises has been doing business without a license or permit, the commissioner is not required to prorate the fee.

(h) This section shall be part of and supplemental to K.S.A. 47-1701 *et seq.*, and amendments thereto.

Sec. 99. K.S.A. 47-1725 is hereby amended to read as follows: 47-1725. (a) There is hereby created the Kansas pet animal advisory board, consisting of 10 members. Members shall be appointed by the governor as follows:

- (1) One member shall be a representative of a licensed animal shelter or pound;
- (2) one member shall be an employee of a licensed research facility;
- (3) one member shall be a licensed animal breeder;
- (4) one member shall be a licensed retail breeder;
- (5) one member shall be a licensed pet shop operator;
- (6) one member shall be a licensed veterinarian and shall be selected from a list of three names presented to the governor by the Kansas veterinary medical association;
- (7) one member shall be a private citizen with no link to the industry;

- (8) one member shall be a licensed animal distributor;
 - (9) one member shall be a licensed hobby breeder; and
 - (10) one member shall be a licensed kennel operator.
- (b) Of the members first appointed to the board, the governor shall designate three whose terms shall expire June 30, 1992; three whose terms shall expire June 30, 1993; and three whose terms shall expire June 30, 1994. After the expiration of such terms, each member shall be appointed for a term of three years and until a successor is appointed and qualified.
- (c) A vacancy on the board of a member shall be filled for the unexpired term by appointment by the governor.
- (d) The board shall meet at least once every calendar quarter regularly or at such other times as the chairperson or a majority of the board members determine. A majority of the members shall constitute a quorum for conducting board business.
- (e) The members of the board shall annually elect a chairperson.
- (f) The board shall have the following duties, authorities and powers:
- (1) To advise the Kansas ~~livestock~~ animal health commissioner on hiring a director to implement the Kansas pet animal act;
 - (2) to review the status of the Kansas pet animal act;
 - (3) to make recommendations on changes to the Kansas pet animal act; and
 - (4) to make recommendations concerning the rules and regulations for the Kansas pet animal act.
- (g) Board members who are required to be licensed, except retail breeders, shall be affiliated with or a member of an organized pet animal association which is representative of the position such person will hold on the board.
- (h) Upon the effective date of this act, the governor shall appoint a licensed kennel operator. When the current board members' terms expire, the governor shall appoint persons or representatives in accordance with this section.
- Sec. 100. K.S.A. 2011 Supp. 47-1731 is hereby amended to read as follows: 47-1731. (a) No dog or cat may be transferred to the permanent custody of a prospective owner by a pound or animal shelter, as defined by K.S.A. 47-1701, and amendments thereto, or by a humane society, unless:
- (1) Such dog or cat has been surgically spayed or neutered before the physical transfer of the animal occurs; or
 - (2) the prospective owner signs an agreement to have the dog or cat spayed or neutered and deposits with the pound or animal shelter funds not less than the lowest nor more than the highest cost of spaying or neutering in the community. Any funds deposited pursuant to such an agreement shall be refunded to such person upon presentation of a written statement signed by a licensed veterinarian that the dog or cat has been spayed or neutered. If such person does not reclaim the deposit within six months after receiving custody of the animal, the pound or animal shelter shall keep the deposit and may reclaim the unspayed or unneutered animal.
- (b) No person shall spay or neuter any dog or cat for or on behalf of a pound or animal shelter unless such person is a licensed veterinarian or a student currently enrolled in the college of veterinary medicine, Kansas state university, who has completed at least two years of study in the veterinary medical curriculum and is participating in a spay or neuter program and as part of the curriculum under the direct supervision of a licensed veterinarian. Students shall only spay or neuter any dog or cat

that belongs to the pound or animal shelter, and shall not spay or neuter any dog or cat that belongs to a member or of the public. No pound or animal shelter shall designate the veterinarian which a person must use, or a list from which a person must select a veterinarian, to spay or neuter a dog or cat transferred by such person from such pound or animal shelter. Any premises located in the state of Kansas where the spaying, neutering or any other practice of veterinary medicine occurs shall register such premises with the board of veterinary examiners.

(c) With the written approval of the livestock animal health commissioner, any pound or shelter may use an innovative spay or neuter program not precisely meeting the requirements of subsection (a)(2), if the pound or shelter can prove to the commissioner that it is actively enforcing the spaying and neutering requirements set forth in this statute.

(d) Nothing in this section shall be construed to require sterilization of a dog or cat which is being held by a pound or animal shelter and which may be claimed by its rightful owner within the holding period established in K.S.A. 47-1710, and amendments thereto.

(e) The livestock animal health commissioner shall promulgate rules and regulations as may be necessary to carry out the provisions of this section.

Sec. 101. K.S.A. 47-1735 is hereby amended to read as follows: 47-1735. (a) A licensee, permittee or applicant for a license or permit shall not interfere with, hinder, threaten or abuse, including verbal abuse, any representative or employee of the animal health department who is carrying out such representative's or employee's duties under the provisions of the Kansas pet animal act.

(b) This section shall be part of and supplemental to the Kansas pet animal act.

Sec. 102. K.S.A. 47-1804 is hereby amended to read as follows: 47-1804. As used in this act, unless the context otherwise requires:

(a) "Commissioner" means the livestock animal health commissioner of the state of Kansas.

(b) "Livestock" means cattle, swine, horses, sheep, goats, poultry, all creatures of the rattle family that are not indigenous to this state, including, but not limited to, ostriches, emus and rheas and domesticated deer.

(c) (1) "Livestock dealer" means any person engaged in the business of buying or selling livestock in commerce, either on that person's own account or as the employee or agent of the seller or purchaser, or any person engaged in the business of buying or selling livestock in commerce on a commission basis and shall include any person who buys or sells livestock with the use of a video.

(2) "Livestock dealer" does not include any person who buys or sells livestock as part of that person's own breeding, feeding or dairy operation, nor any person who receives livestock exclusively for immediate slaughter.

(d) (1) "Person" means any individual, partnership, corporation, company, firm or association.

(2) "Person" does not include any public livestock market operator licensed under K.S.A. 47-1001 *et seq.*, and amendments thereto, or any feedlot operator licensed under K.S.A. 47-1501 *et seq.*, and amendments thereto.

(e) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; ~~for~~ (2) any carcass, skin or part of such animal; ~~for~~ (3) exhibition; or ~~for~~ (4)

companionship.

Sec. 103. K.S.A. 2011 Supp. 47-1805 is hereby amended to read as follows: 47-1805. (a) Any person operating as a livestock dealer in Kansas shall register with the Kansas ~~animal health department~~ department of agriculture division of animal health. Registration shall be made on an application form approved by the ~~livestock animal health~~ health commissioner. The application shall be accompanied by the livestock dealer registration fee or renewal fee fixed by the commissioner under subsection (b). If an application for registration or renewal of registration is denied by the commissioner or withdrawn by the applicant, the fee shall not be refunded. Unless renewed under this section, each registration shall expire on the June 30 following the date of issuance.

(b) The ~~livestock animal health~~ health commissioner shall determine annually the amount of funds which will be required for the administration and enforcement of this section and K.S.A. 47-1806, and amendments thereto, and shall fix and adjust from time to time a livestock dealer registration fee and a renewal fee in such reasonable amounts as may be necessary for such purposes, except that in no case shall either the livestock dealer registration fee or the renewal fee exceed \$75.

(c) The ~~livestock animal health~~ health commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 104. K.S.A. 47-1808 is hereby amended to read as follows: 47-1808. (a) Except if bonded under the packers and stockyards act, 1921, as amended and supplemented, 7 U.S.C. § 181 *et seq.*, every livestock dealer required to be registered pursuant to K.S.A. 47-1805, and amendments thereto, upon notification by the ~~livestock animal health~~ health commissioner of the amount of bond required, shall file with the ~~livestock animal health~~ health commissioner a bond with good corporate surety qualified under the laws of the state of Kansas in a sum computed by dividing the dollar value of livestock sold during the preceding business year, or the substantial part of that business year, in which the livestock dealer did business, by the actual number of days on which livestock was sold. The divisor, the number of days on which livestock was sold, shall not exceed 130. The amount of bond coverage must be the next multiple of \$5,000 above the amount so determined. When the computation exceeds \$75,000, the amount of bond coverage need not exceed \$75,000 plus 10% of the excess over \$75,000, raised to the next \$5,000 multiple. In cases where a business operation is being commenced, an estimated amount of business to be transacted during the next 12 months may be used subject to adjustment later, if indicated. In no event shall the bond be for an amount less than \$10,000.

(b) The bond shall be in favor of the state of Kansas for the benefit of all persons interested, their legal representatives, attorneys or assigns and shall be conditioned on the faithful performance of all the registrant's duties as a livestock dealer. Any person injured by the breach of any obligation of the livestock dealer may commence suit on the bond in any court of competent jurisdiction to recover damages that the person has sustained, but any suit commenced shall either be a class action or shall join as parties plaintiff or parties defendant or other persons who may be affected by such suit on the bond. No bond shall be ~~cancelled~~ canceled by the surety on less than 30 days' notice by mail to the ~~livestock animal health~~ health commissioner and the principal except that no such

notice shall be required for cancellation of any bond by reason of nonpayment of the premium thereon. The liability of the surety on the bond may continue for each successive registration period the bond covers. The total liability of the surety shall be limited to the amount stated on the current bond or on an appropriate rider or endorsement to the current bond. It is the intent of this statute that the bonds be nonaccumulative, that stacking of bonds not occur in excess of the face value of the current bond.

(c) Whenever the livestock animal health commissioner determines that any bond given by any livestock dealer is inadequate and insufficient security against any loss that might arise under the terms of the bond, the livestock animal health commissioner shall require any additional bond that the livestock animal health commissioner considers necessary to provide adequate security. If the livestock animal health commissioner considers the financial condition of the surety upon any livestock dealer and the livestock dealer's bond to be impaired, the livestock animal health commissioner shall require any substituted or additional bond that the livestock animal health commissioner considers necessary except this act shall not apply to those who buy livestock for others incidentally to their own farming operation.

(d) In all actions hereafter commenced in which judgment is rendered against any surety company on any surety bond furnished under the provisions of this section, if it appears from the evidence that the surety company has refused without just cause to pay the loss upon demand, the court shall allow the plaintiff a reasonable sum as attorney fees to be recovered and collected as a part of the costs. When a tender is made by the surety company before the commencement of the action in which judgment is rendered and the amount recovered is not in excess of the tender, no such costs shall be allowed.

(e) Any person violating or failing to comply with the provisions of this section shall be deemed guilty of a class A misdemeanor.

(f) This section shall be part of and supplemental to article 18 of chapter 47 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 105. K.S.A. 2011 Supp. 47-1809 is hereby amended to read as follows: 47-1809. (a) As used in this section, "feral swine" means any untamed or undomesticated hog, boar or pig; swine whose reversion from the domesticated state to the wild state is apparent; or an otherwise freely roaming swine having no visible tags, markings or characteristics indicating that such swine is from a domestic herd, and reasonable inquiry within the area does not identify an owner.

(b) No person shall import, transport or possess live feral swine in this state.

(c) No person shall intentionally or knowingly release any hog, boar, pig or swine to live in a wild or feral state upon public or private land.

(d) No person shall engage in, sponsor, instigate, assist or profit from the release, killing, wounding or attempted killing or wounding of feral swine for the purpose of sport, pleasure, amusement or production of a trophy.

(e) Violation of subsection (b) or (c) may result in a civil penalty in the amount of not less than \$1,000 nor more than \$5,000 for each such violation. In the case of a continuing violation, every day such violation continues shall be deemed a separate violation.

(f) Violation of subsection (d) may result in a civil penalty of not less than \$250 nor more than \$2,500 for each such violation.

(g) Any duly authorized agent of the livestock animal health commissioner, upon a

finding that any person, or agent or employee thereof, has violated any of the provisions stated above, may impose a civil penalty upon such person as provided in this section.

(h) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the livestock animal health commissioner to the person who committed the violation. Such order shall state the violation, the penalty to be imposed and the right of the person to appeal to the commissioner. Any such person, within 20 days after notification, may make written request to the commissioner for a hearing in accordance with the provisions of the Kansas administrative procedure act. The commissioner shall affirm, reverse or modify the order and shall specify the reasons therefor.

(i) Any person aggrieved by an order of the commissioner made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

(j) Any civil penalty recovered pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(k) The livestock animal health commissioner, or the authorized representative of the livestock animal health commissioner, may destroy or require the destruction of any feral swine upon discovery of such swine.

(l) The provisions of this section shall not be construed to prevent owners or legal occupants of land, the employees of such owners or legal occupants or persons designated by such owners or legal occupants from killing any feral swine when found on their premises or when destroying property. Such designees shall have a permit issued by the livestock animal health commissioner in their possession at the time of the killing of the feral swine.

(m) The livestock animal health commissioner may adopt rules and regulations to carry out the provisions of this section.

Sec. 106. K.S.A. 2011 Supp. 47-1831 is hereby amended to read as follows: 47-1831. (a) The livestock animal health commissioner is hereby authorized to:

(1) Register original veterinary certificates of inspection for livestock, as defined in K.S.A. 47-1001, and amendments thereto; and

(2) provide official calfhooed vaccination tags. Such tags shall not exceed \$.25 for each tag.

(b) The commissioner shall determine annually tag fee and shall fix such fee by rules and regulations.

(c) The commissioner shall remit all moneys received by or for the commissioner under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

Sec. 107. K.S.A. 47-1832 is hereby amended to read as follows: 47-1832. The livestock animal health commissioner is hereby authorized to establish rules and regulations on disease control programs for and on the sale and importation into Kansas of farm animals and exotic animals. As used in this section "farm animals" and "exotic animal" means the definitions given by rules and regulations in 9 C.F.R. § 1.1, pursuant

to 7 U.S.C. § 2131 *et seq.*

Sec. 108. K.S.A. 2011 Supp. 47-2101 is hereby amended to read as follows: 47-2101. (a) It shall be unlawful for any person to engage in the business of raising domesticated deer unless such person has obtained from the livestock animal health commissioner a domesticated deer permit. Application for such permit shall be made in writing on a form provided by the commissioner. The permit period shall be for the permit year ending on June 30 following the issuance date.

(b) Each application for issuance or renewal of a permit shall be accompanied by a fee of not more than \$150 as established by the commissioner in rules and regulations.

(c) The livestock animal health commissioner shall adopt any rules and regulations necessary to enforce this section.

(d) Any person who fails to obtain a permit as prescribed in section (a) shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$150. Continued operation, after a conviction, shall constitute a separate offense for each day of operation.

(e) The commissioner may refuse to issue or renew or may suspend or revoke any permit for any one of the following reasons:

(1) Material misstatement in the application for the original permit or in the application for any renewal of a permit;

(2) the conviction of any crime, an essential element of which is misstatement, fraud or dishonesty, or relating to the theft of or cruelty to animals;

(3) substantial misrepresentation;

(4) the person who is issued a permit is found to be adding to such person's herd by poaching or illegally obtaining deer;

(5) willful disregard to any rule or regulation adopted under this section.

(f) Any refusal to issue or renew a permit and any suspension or revocation of a permit under this section shall be in accordance with the provisions of the Kansas administrative procedure act and shall be subject to review in accordance with the Kansas judicial review act.

(g) Domesticated deer shall be identified through implantation of microchips, ear tags, ear tattoos, ear notches or any other permanent identification on such deer as to identify such deer as domesticated deer. Any person who receives a permit issued pursuant to subsection (a) shall keep records of the deer herd pursuant to rules and regulations.

(h) The livestock animal health commissioner shall inspect any premises where a domesticated deer herd has been issued a permit upon receipt of a written, signed complaint that such premises is not being operated, managed or maintained in accordance with rules and regulations.

(i) The livestock animal health commissioner, on a quarterly basis, shall transmit to the secretary of wildlife and parks a current list of persons issued a permit pursuant to this section.

(j) All moneys received under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the animal disease control fund.

(k) As used in this section:

(1) "Deer" means any member of the family cervidae.

(2) "Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for: (1) Breeding stock; ~~for (2) any carcass, skin or part of such animal; for (3) exhibition; or for (4) companionship.~~

Sec. 109. K.S.A. 2011 Supp. 48-3502 is hereby amended to read as follows: 48-3502. (a) There is hereby established the Kansas national bio and agro defense facility interagency working group.

(b) The working group shall consist of the following members *ex officio*: The secretary of health and environment, the secretary of commerce or designee, the secretary of administration or designee, the secretary of agriculture or designee, the ~~livestock~~ animal health commissioner or designee, the secretary of revenue or designee, the attorney general or designee, the state board of regents or designee, the mayor of the city of Manhattan or designee, the chairperson of the Leavenworth county board of commissioners or designee, the adjutant general (the state director of homeland security) or designee and the superintendent of the Kansas highway patrol or designee.

(c) The secretary of health and environment shall serve as chairperson of the working group, and the working group may elect a vice-chairperson from among the members of the working group.

(d) All appointments of designees must be made and submitted to the Kansas bioscience authority no more than 30 days after enactment of this act.

Sec. 110. K.S.A. 65-171i is hereby amended to read as follows: 65-171i. Nothing in this act shall be construed as limiting the authority of the state ~~livestock~~ animal health commissioner in matters concerning the administration of the law concerning feedlots ~~(K.S.A. 47-1501 et seq.) and amendments thereto.~~

Sec. 111. K.S.A. 2011 Supp. 65-5721 is hereby amended to read as follows: 65-5721. (a) There is hereby established the commission on emergency planning and response.

(b) The membership of the commission on emergency planning and response shall consist of the agency head or secretary or a designated person of authority from the following agencies:

- (1) The fire marshal;
- (2) the department of health and environment;
- (3) the department of transportation;
- (4) the Kansas highway patrol;
- (5) the adjutant general;
- (6) the department of commerce;
- (7) the Kansas bureau of investigation;
- (8) the Kansas department of agriculture; and
- (9) the Kansas ~~animal health department~~ department of agriculture division of animal health.

(c) In addition, the membership of the commission on emergency planning and response shall also consist of 18 members appointed by the governor as follows:

- (1) One individual shall be representative of counties;
- (2) one individual selected to represent cities;
- (3) three individuals selected to represent businesses and industries, one of which represents broadcasting;
- (4) one individual selected to represent agriculture, crop or livestock;

- (5) one individual selected to represent transportation, trucking or rail;
- (6) one individual selected to represent energy;
- (7) one individual selected to represent law enforcement officers;
- (8) one individual selected to represent fire fighters;
- (9) one individual selected to represent county emergency managers;
- (10) one individual selected to represent emergency medical services;
- (11) one individual selected to represent public works services;
- (12) one individual selected to represent hospitals;
- (13) one individual selected to represent public health;
- (14) one individual selected to represent the tribes of Kansas;
- (15) one individual selected to represent individuals with disabilities; and
- (16) one individual selected to represent the seven regional homeland security councils.

(d) A designee of the adjutant general shall serve as the secretary of the commission on emergency planning and response. The adjutant general shall provide staff support for the commission on emergency planning and response.

(e) Of the members first appointed to the commission on emergency planning and response by the governor, one representative of cities, one representative of counties, and one representative of business and industry shall serve a term of two years, and the remainder of the members appointed by the governor shall serve terms of three years. Thereafter, members appointed pursuant to subsection (c) shall serve terms of four years and until the successor has been appointed. Any vacancy in the office of an appointed member shall be filled for the unexpired term by appointment by the governor.

(f) A chairperson shall be elected annually by the members of the commission. A vice-chairperson shall be designated by the chairperson to serve in the absence of the chairperson.

(g) For attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, those members of the commission appointed by the governor shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 112. K.S.A. 66-1319 is hereby amended to read as follows: 66-1319. (a) Members of the Kansas highway patrol shall exercise the power and authority of the superintendent of the Kansas highway patrol in the execution of the duties imposed upon the superintendent by this act to the extent that the exercise of such power and authority is delegated to such members by the superintendent or is prescribed by law. In enforcing the laws referred to in K.S.A. 66-1318, and amendments thereto, members of the highway patrol are authorized and empowered to inspect any motor vehicle required by law to comply with any of such laws and rules and regulations relating thereto. Except as otherwise provided in K.S.A. 8-1910, and amendments thereto, whenever any member of the highway patrol shall determine that any vehicle is not properly registered under or not in compliance with any of such laws, such member of the highway patrol may require such vehicle to be driven to the nearest motor carrier inspection station, if there is one within five miles, and if not, to another suitable place, and remain there until the driver thereof has complied with any or all of such laws. Any driver of a vehicle who fails or refuses to drive such vehicle to the nearest inspection station or other suitable place when so directed by a member of the highway patrol shall be

deemed guilty of a misdemeanor.

(b) The superintendent of the Kansas highway patrol or any other member thereof designated by the superintendent may issue any license, permit, registration or certificate required under any of such laws when so directed by law or by the head of the agency administering such laws.

(c) The superintendent of the Kansas highway patrol, the secretary of revenue, the secretary of transportation, the chairperson of the state corporation commission and the livestock animal health commissioner shall cooperate in all functions relating to the enforcement of such laws.

Sec. 113. K.S.A. 74-4002 is hereby amended to read as follows: 74-4002. The members of the Kansas animal health board shall choose their own chairman, who shall serve for a term of one (+) year. Said Such board shall meet at least once in each quarter. Meetings may be called and held at the discretion of the chairman, and meetings shall be called by the chairman upon written request of a majority of the members of said such board. Members of the Kansas animal health board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. Amounts paid under this section shall be paid from appropriations to the livestock animal health commissioner upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner.

Sec. 114. K.S.A. 74-4003 is hereby amended to read as follows: 74-4003. It shall be the duty of the Kansas animal health board to serve in an advisory capacity to the livestock animal health commissioner. It shall aid him the commissioner in determining policies and plans relating to his the commissioner's office.

Sec. 115. K.S.A. 75-1901 is hereby amended to read as follows: 75-1901. A livestock An animal health commissioner shall be appointed by the Kansas animal health board secretary of agriculture and shall serve as the executive officer of the Kansas animal health department which is hereby created department of agriculture division of animal health. The person so appointed shall have been actively engaged in one of the major phases of the livestock industry for a period of not less than five (5) years immediately preceding his or her such person's appointment. Before entering upon the duties of said such office, such commissioner shall take and subscribe an oath of office to faithfully and honestly discharge the duties of said such office to the best of his or her such commissioner's knowledge and ability, and shall file the same with the secretary of state. The livestock animal health commissioner shall serve at the pleasure of the secretary of agriculture and the animal health board.

Sec. 116. K.S.A. 75-1903 is hereby amended to read as follows: 75-1903. (a) Whenever in any of the statutes of this state the term "livestock sanitary commissioner" is used, or the term "commissioner" is used to refer to the livestock sanitary commissioner, such terms shall be construed to mean the livestock animal health commissioner appointed by the Kansas animal health board secretary of agriculture pursuant to K.S.A. 75-1901 74-5, 119, and amendments thereto.

(b) Whenever in any of the statutes of this state the terms "Kansas livestock commission" or "livestock commission" are used, or the term "commission" is used to refer to the Kansas livestock commission, such terms shall be construed to mean the Kansas animal health board created in K.S.A. 74-4001, as amended and amendments

thereto.

Sec. 117. K.S.A. 75-3141 is hereby amended to read as follows: 75-3141. The livestock animal health commissioner shall devote full time to the discharge of official duties, and shall be within the unclassified service under the Kansas civil service act. The commissioner's compensation shall be determined by the ~~Kansas animal health board~~ secretary of agriculture, subject to the approval of the governor.

Sec. 118. K.S.A. 75-3142 is hereby amended to read as follows: 75-3142. The livestock animal health commissioner is hereby authorized to appoint, within the provisions of the civil service law and within available appropriations, such employees as are necessary to properly discharge the duties of office.

Sec. 119. K.S.A. 2011 Supp. 75-37,121 is hereby amended to read as follows: 75-37,121. (a) There is created the office of administrative hearings within the department of administration, to be headed by a director appointed by the secretary of administration. The director shall be in the unclassified service under the Kansas civil service act.

(b) The office may employ or contract with presiding officers, court reporters and other support personnel as necessary to conduct proceedings required by the Kansas administrative procedure act for adjudicative proceedings of the state agencies, boards and commissions specified in subsection (h). The office shall conduct adjudicative proceedings of any state agency which is specified in subsection (h) when requested by such agency. Only a person admitted to practice law in this state or a person directly supervised by a person admitted to practice law in this state may be employed as a presiding officer. The office may employ regular part-time personnel. Persons employed by the office shall be under the classified civil service.

(c) If the office cannot furnish one of its presiding officers within 60 days in response to a requesting agency's request, the director shall designate in writing a full-time employee of an agency other than the requesting agency to serve as presiding officer for the proceeding, but only with the consent of the employing agency. The designee must possess the same qualifications required of presiding officers employed by the office.

(d) The director may furnish presiding officers on a contract basis to any governmental entity to conduct any proceeding other than a proceeding as provided in subsection (h).

(e) The secretary of administration may adopt rules and regulations:

(1) To establish procedures for agencies to request and for the director to assign presiding officers. An agency may neither select nor reject any individual presiding officer for any proceeding except in accordance with the Kansas administrative procedure act;

(2) to establish procedures and adopt forms, consistent with the Kansas administrative procedure act, the model rules of procedure, and other provisions of law, to govern presiding officers; and

(3) to facilitate the performance of the responsibilities conferred upon the office by the Kansas administrative procedure act.

(f) The director may implement the provisions of this section and rules and regulations adopted under its authority.

(g) The secretary of administration may adopt rules and regulations to establish fees to charge a state agency for the cost of using a presiding officer.

(h) The following state agencies, boards and commissions shall utilize the office of administrative hearings for conducting adjudicative hearings under the Kansas administrative procedures act in which the presiding officer is not the agency head or one or more members of the agency head:

(1) On and after July 1, 2005: Department of social and rehabilitation services, juvenile justice authority, department on aging, department of health and environment, Kansas public employees retirement system, Kansas water office, Kansas ~~animal health department~~ department of agriculture division of animal health and Kansas insurance department.

(2) On and after July 1, 2006: Emergency medical services board, emergency medical services council, Kansas health policy authority and Kansas human rights commission.

(3) On and after July 1, 2007: Kansas lottery, Kansas racing and gaming commission, state treasurer, pooled money investment board, Kansas department of wildlife and parks and state court of tax appeals.

(4) On and after July 1, 2008: Department of human resources, state corporation commission, ~~state conservation commission~~ Kansas department of agriculture division of conservation, agricultural labor relations board, department of administration, department of revenue, board of adult care home administrators, Kansas state grain inspection department, board of accountancy and Kansas wheat commission.

(5) On and after July 1, 2009, all other Kansas administrative procedure act hearings not mentioned in subsections (1), (2), (3) and (4).

(i) (1) Effective July 1, 2005, any presiding officer in agencies specified in subsection (h)(1) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(2) Effective July 1, 2006, any presiding officer in agencies specified in subsection (h)(2) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall

proceed as though no transfer of employment had occurred.

(3) Effective July 1, 2007, any presiding officer in agencies specified in subsection (h)(3) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(4) Effective July 1, 2008, any full-time presiding officer in agencies specified in subsection (h)(4) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment had occurred.

(5) Effective July 1, 2009, any full-time presiding officer in agencies specified in subsection (h)(5) which conduct hearings pursuant to the Kansas administrative procedure act, except those exempted pursuant to K.S.A. 77-551, and amendments thereto, and support personnel for such presiding officers, shall be transferred to and shall become employees of the office of administrative hearings. Such personnel shall retain all rights under the state personnel system and retirement benefits under the laws of this state which had accrued to or vested in such personnel prior to the effective date of this section. Such person's services shall be deemed to have been continuous. All transfers of personnel positions in the classified service under the Kansas civil service act shall be in accordance with civil service laws and any rules and regulations adopted thereunder. This section shall not affect any matter pending before an administrative hearing officer at the time of the effective date of the transfer, and such matter shall proceed as though no transfer of employment occurred.

Sec. 120. K.S.A. 2011 Supp. 74-567 is hereby amended to read as follows: 74-567.

(a) The state board of agriculture shall have such powers, duties and functions as prescribed by this section. The board shall serve in an advisory capacity to the governor and the secretary to review and make recommendations on department legislative initiatives and proposed rules and regulations or proposed revised rules and regulations prior to the submission of such rules and regulations to the secretary of administration pursuant to K.S.A. 77-420, and amendments thereto, other than rules and regulations

pertaining to personnel matters of the department, rules and regulations of the division of water resources and rules and regulations of the division of food safety. The board shall not have any powers, duties or functions concerning the day-to-day operations of the Kansas department of agriculture.

(b) The board shall serve in an advisory capacity to the agriculture ~~products development division of the department of commerce~~ marketing and promotions program within the Kansas department of agriculture. The board shall advise the division program on issues and concerns relating to agriculture products development and marketing.

(c) The agriculture ~~products development division~~ marketing and promotions program of the Kansas department of commerce agriculture shall report to the board, at not less than two meetings of such board each year, on the activities and functions of the division program.

Sec. 121. K.S.A. 2011 Supp. 74-50,156 is hereby amended to read as follows: 74-50,156. (a) There is hereby established within and as a part of the Kansas department of commerce agriculture the agriculture ~~products development division~~ marketing and promotions program. The secretary of commerce agriculture shall appoint a director of such division program and such director shall be in the unclassified service of the Kansas civil service act. Subject to and in accordance with appropriations acts, the agriculture ~~products development division~~ marketing and promotions program shall include: (1) All powers, duties and functions related to the agricultural value added center pursuant to subsections (b) and (c); (2) all powers and duties created regarding the division of markets pursuant to K.S.A. 74-530, and amendments thereto, which are hereby transferred; (3) all powers and duties created regarding registered trademarks pursuant to K.S.A. 74-540a, and amendments thereto, which are hereby transferred; (4) all powers and duties regarding the trademark fund pursuant to K.S.A. 74-540b, and amendments thereto, which are hereby transferred; and (5) all powers and duties created regarding expenditures and moneys credited to the market development fund pursuant to K.S.A. 74-540c, and amendments thereto, which are hereby transferred.

(b) The objectives of the agricultural value added center within the agriculture ~~products development division~~ marketing and promotions program shall include, but not be limited to, providing technical assistance to existing and potential value added facilities, including incubator facilities; developing a network for collecting and distributing information to individuals involved in value added processing in Kansas; initiating pilot plant facilities to act as research and development laboratories for existing and potential small scale value added processing endeavors in Kansas; providing technical assistance to new agricultural value added businesses; developing and promoting communication and cooperation among private businesses; state government agencies and public and private colleges and universities in Kansas; establishing research and development programs in technologies that have value added commercial potential for food and nonfood agricultural products achieving substantial and sustainable continuing growth for the Kansas economy through value added products from agriculture; serving as a catalyst for industrial agriculture through technological innovation in order to expand economic opportunity for all Kansas communities; establishing an industrial agriculture industry for the state of Kansas; commercializing the developed industrial agriculture technology in smaller communities and the rural areas of Kansas; and developing investment grade

agriculture value added technologies and products.

(c) Subject to the provisions of appropriations acts, the functions of the agricultural value added center within the agriculture ~~products development division~~ marketing and promotions program shall include, but not be limited to, developing a market referral program, matching distribution to buyers in coordination with other state agencies concerned with marketing Kansas products; assisting private entrepreneurs in the establishment of facilities and markets for new agricultural value added endeavors; and introducing coordinated programs to develop marketing skills of existing agricultural value adding processors in Kansas.

(d) (1) It shall be the duty of the agriculture ~~products development division~~ marketing and promotions program to perform acts and to do, or cause to be done, those things which are designed to lead to the more advantageous marketing of agricultural products of Kansas. For these purposes the division may:

- (A) Investigate the subject of marketing farm products;
- (B) promote their sales distribution and merchandising;
- (C) furnish information and assistance to the public;
- (D) study and recommend efficient and economical methods of marketing;
- (E) provide for such studies and research as may be deemed necessary and proper;
- (F) gather and diffuse timely and useful information concerning the supply, demand, prevailing prices and commercial movement of farm products including quantity in common storage and cold storage, in cooperation with other public or private agencies;

(G) conduct market development activities and assist and coordinate participation by companies, commodity organizations, trade organizations, producer organizations and other interested organizations to develop new markets and sales for Kansas agricultural commodities and food products;

(H) render assistance to any of the entities listed in subsection (G) and development activities and make a reasonable service charge for such services rendered by the division; and

(I) make agreements with other states and with the United States government, or its agencies, and accept funds from the federal government, or its agencies, or any other source for research studies, investigation, market development and other purposes related to the duties of the division.

(2) The Kansas department of ~~commerce~~ agriculture shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the market development fund. All expenditures from such fund shall be made for any purpose consistent with this subsection and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of ~~commerce~~ agriculture or a person designated by the secretary.

(e) (1) In conjunction with any trademark registered by the Kansas department of ~~commerce~~ agriculture, the agriculture ~~products development division~~ marketing and promotions program is hereby authorized to:

- (A) Promulgate policy regarding the use of any such trademark;
- (B) print, reproduce or use the trademark in or on educational, promotional or other

material;

(C) fix, charge and collect fees for the use of the trademark provided that the fees shall be fixed in an amount necessary to recover all direct costs associated with the production of educational, promotional and other materials associated with a trademark program; and

(D) enter into any contracts necessary to carry out the purposes of this subsection, which contracts shall not be subject to the bidding requirements of K.S.A. 75-3739, and amendments thereto.

(2) The secretary of ~~commerce~~ agriculture shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the trademark fund. All expenditures from such fund shall be made for any purpose consistent with this subsection and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of ~~commerce~~ agriculture or a person designated by the secretary.

(f) On or before February 1 of each year, the agriculture ~~products development division~~ marketing and promotions program shall present an oral and written report to the house and senate agriculture committees concerning the performance indicators, performance outcomes, activities and functions of the ~~division program~~ for the previous year. Such report shall include a budget of how moneys appropriated or otherwise authorized to be expended from the state general fund or any special revenue fund for the agriculture ~~products development division~~ marketing and promotions program of the Kansas department of ~~commerce~~ agriculture for the previous fiscal year were spent and a projected budget of moneys appropriated or otherwise authorized to be expended from the state general fund or any special revenue fund for the agriculture ~~products development division~~ marketing and promotions program of the Kansas department of ~~commerce~~ agriculture for the current fiscal year. Such report shall further include the full-time equivalent number of positions financed from appropriations and allocated for the agriculture ~~products development division~~ marketing and promotions program of the Kansas department of ~~commerce~~ agriculture for each fiscal year. ~~In the report to the 1997 legislature, the division's report shall include a mission statement for the reorganized division.~~

New Sec. 122. In addition to the powers and duties conferred in K.S.A. 2011 Supp. 74-5,126, and amendments thereto, the Kansas department of agriculture division of conservation shall have all the powers, duties and functions delegated pursuant to K.S.A. 2011 Supp. 74-5,126, and amendments thereto. It shall also employ an administrative officer and such technical experts as it may require and shall determine their qualifications and duties. Such officer and experts shall be in the unclassified service of the Kansas civil services act and shall receive annual salaries fixed by the division and approved by the state finance council. All other agents and employees, permanent or temporary, required by the division of conservation, shall be within the classified services of the Kansas civil service act. The division may call upon the attorney general of the state for such legal services as it may require. It shall have authority to delegate to one or more agents or employees, such powers and duties as it deems proper. It shall be supplied with suitable office accommodations at the state capital, and shall be furnished with the necessary supplies and equipment. Upon request

of the division, for the purpose of carrying out any of its functions, the supervision officer of any state agency or of any state institution of learning, insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed, shall assign or detail to the division members of the staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the division may request.

Sec. 123. K.S.A. 2-1903 is hereby amended to read as follows: 2-1903. As used in this act:

(1) "District" or "conservation district" means a governmental subdivision of this state, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Supervisor" means one of the members of the governing body of a district, elected or appointed in accordance with the provisions of this act.

(3) "Commission" or "state conservation commission" means the ~~agency~~ conservation program policy board created in K.S.A. 2-1904, and amendments thereto.

(4) "State" means the state of Kansas.

(5) "Agency of this state" includes the government of this state and any subdivision, agency or instrumentality, corporation or otherwise, of the government of this state.

(6) "United States" or "agencies of the United States" includes the United States of America, the soil conservation service of the United States department of agriculture and any other agency or instrumentality, corporate or otherwise, of the United States of America.

(7) "Government" or "governmental" includes the government of this state, the government of the United States and any subdivision, agency or instrumentality, corporate or otherwise, of either of them.

(8) "Division" or "division of conservation" means the agency established in K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

Sec. 124. K.S.A. 2-1904 is hereby amended to read as follows: 2-1904. (a) There is hereby established, to serve as ~~an agency~~ a conservation program policy board of the state and to perform the functions conferred upon it in this act, the state conservation commission. The state conservation commission shall succeed to all the powers, duties and property of the state soil conservation committee. The commission shall consist of nine members as follows:

(1) The director of the cooperative extension service and the director of the state agricultural experiment station located at Manhattan, Kansas, or such persons' designees shall serve, *ex officio*, as members of the commission.

(2) The commission shall request the secretary of agriculture of United States of America to appoint one person and the secretary of the Kansas department of agriculture to appoint one person, each of whom shall be residents of the state of Kansas to serve as members of the commission. These members shall hold office for four years and until a successor is appointed and qualifies, with terms commencing on the second Monday in January beginning in 1973.

(3) Five members of the state commission shall be elected by the conservation district supervisors at a time and place to be designated by the state conservation commission. The method of electing such members to be conducted as follows: The

state is to be divided into five separate areas. Area No. I to include the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis and Russell. Area No. II to include: Greeley, Wichita, Scott, Lane, Ness, Rush, Pawnee, Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and Kiowa. Area No. III to include: Jewell, Republic, Mitchell, Cloud, Lincoln, Ottawa, Ellsworth, Saline, Rice, McPherson, Reno, Harvey, Kingman, Sedgwick, Sumner, Harper, Barber, Pratt, Barton and Stafford. Area No. IV to include: Washington, Marshall, Nemaha, Brown, Doniphan, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee, Geary, Dickinson, Morris, Osage, Franklin and Miami. Area No. V to include: Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Allen, Woodson, Greenwood, Butler, Elk, Wilson, Neosho, Crawford, Cowley, Chautauqua, Montgomery, Labette and Cherokee. Areas II and IV will elect in even number years and Areas I, III and V shall elect in odd number years for two year terms. The elected commission members from Areas I, III and V shall take office on January 1, of the even number years. The remaining two elected members of the state commission from Areas II and IV shall take office on January 1, of the odd number years. The method of election is to be by area caucus of the district supervisors of each of the five separate areas of Kansas. The commission shall give each district notice of the time and place of such annual election meeting by letter if a member is to be elected to the commission from that area that year. The selection of a successor to fill an unexpired term shall be by appointment by the commission. The successor who is appointed to fill the unexpired term shall be a resident of the same area as that of the predecessor.

(b) The commission shall keep a record of its official actions, shall adopt a seal which seal shall be judicially noticed, and may perform such acts, hold such public hearings and adopt rules and regulations necessary for the execution of its functions under this act.

(c) In addition to the powers and duties conferred in this section, the state conservation commission may employ an administrative officer and such technical experts as it may require and shall determine their qualifications and duties. Such officer and experts shall be in the unclassified service of the Kansas civil service act and shall receive annual salaries fixed by the commission and approved by the state finance council. All other agents and employees, permanent or temporary, required by the state conservation commission, shall be within the classified service of the Kansas civil service act. The commission may call upon the attorney general of the state for such legal services as it may require. It shall have authority to delegate to its chairperson, to one or more of its members or to one or more agents or employees, such powers and duties as it deems proper. It shall be supplied with suitable office accommodations at the state capital, and shall be furnished with the necessary supplies and equipment. Upon request of the commission, for the purpose of carrying out any of its functions, the supervising officer of any state agency or of any state institution of learning, insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed, shall assign or detail to the commission members of the staff or personnel of such agency or institution of learning and make such special reports, surveys or studies as the commission may request shall have the powers and duties not delegated to the Kansas department of

agriculture division of conservation pursuant to K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

(d) The commission shall designate its chairperson and, from time to time, may change such designation. A majority of the commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. Members of the state conservation commission attending meetings of such commission or attending a subcommittee meeting thereof authorized by such commission shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The commission shall provide for keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted.

(e) ~~In addition to the duties and powers hereinafter conferred upon~~ The state conservation commission, ~~it shall together with the Kansas department of agriculture division of conservation shall make conservation program policy decisions, including modification of current conservation programs, creation of new conservation programs and budget recommendations.~~

(f) The Kansas department of agriculture division of conservation in consultation with the state conservation commission shall have the following duties and powers:

(1) To offer such assistance as may be appropriate to the supervisors of conservation districts, organized as provided hereinafter, in the carrying out of any of their powers and programs;

(2) to keep the supervisors of each of the several districts organized under the provisions of this act informed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between such districts and cooperation between them;

(3) to coordinate the programs of the several conservation districts organized hereunder;

(4) to secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state, in the work of such districts and to contract with or to accept donations, grants, gifts and contributions in money, services or otherwise from the United States or any of its agencies or from the state or any of its agencies in order to carry out the purposes of this act;

(5) to disseminate information throughout the state concerning the activities and programs of the conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable;

(6) to cooperate with and give assistance to watershed districts and other special purpose districts in the state of Kansas for the purpose of cooperating with the United States through the secretary of agriculture in the furtherance of conservation pursuant to the provisions of the watershed protection and flood prevention act, as amended;

(7) to cooperate in and carry out, in accordance with state policies, activities and programs to conserve and develop the water resources of the state and maintain and improve the quality of such water resources;

(8) to enlist the cooperation and collaboration of state, federal, regional, interstate, local, public and private agencies with the conservation districts; and

(9) to facilitate arrangements under which conservation districts may serve county governing bodies and other agencies as their local operating agencies in the administration of any activity concerned with the conservation of natural resources.

Sec. 125. K.S.A. 2-1907 is hereby amended to read as follows: 2-1907. The governing body of the district shall consist of five supervisors who are qualified electors residing within the district. The supervisors who are first elected shall serve for terms of one, two and three years according to the following plan: The two persons receiving the highest number of votes in the election shall hold office for three years; the two persons receiving the next highest number of votes shall hold such office for a term of two years and the remaining supervisor shall hold office for a term of one year. In the event of a tie vote, such terms shall be decided by lot. Nothing in this section shall be construed as affecting the length of the term of supervisors holding office on January 1, 1995. Successors to such persons shall be elected for terms of three years. An annual meeting of all qualified electors of the district shall be held in the month of January or February. Notice of the time and place of such meeting shall be given by such supervisors by publishing a notice in the official county paper once each week for two consecutive weeks prior to the week in which such meeting is to be held. At such meeting the supervisors shall make full and due report of their activities and financial affairs since the last annual meeting and shall conduct an election by secret ballot of all of the qualified electors of the district there present for the election of supervisors whose terms have expired. Whenever a vacancy occurs in the membership of the governing body the remaining supervisors of the district shall appoint a qualified elector of the district to fill the office for the unexpired term. The supervisors shall designate a chairperson and may from time to time change such designation. A supervisor shall hold office until a successor has been elected or appointed and has qualified. A majority of the supervisors shall constitute a quorum and the concurrence of a majority of the supervisors in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for services, but may be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties. The supervisors may employ a secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and shall determine their qualifications, duties and compensation. The supervisors may call upon the county attorney of the county in which a major portion of the district lies, or the attorney general for such legal services as they may require. The supervisors may delegate to their chairperson, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the ~~state conservation commission~~ Kansas department of agriculture division of conservation, upon request, copies of such rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this act. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts and receipts and disbursements. Any supervisor may be removed by the state conservation commission upon notice and hearing in accordance with the provisions of the Kansas administrative procedure act, for neglect of duty or malfeasance in office, but for no other reason. The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions

of program and policy which may affect the property, water supply, or other interests of such municipality or county.

Sec. 126. K.S.A. 2011 Supp. 2-1907c is hereby amended to read as follows: 2-1907c. On or before September 1 of each year, each conservation district shall submit to the ~~state conservation commission~~ Kansas department of agriculture division of conservation a certification of the amount of money to be furnished by the county commissioners for conservation district activities for the ensuing calendar year. Such amount shall be the same as authorized for such purposes in each approved county budget. For the purpose of providing state financial assistance to conservation districts, the ~~state conservation commission~~ Kansas department of agriculture division of conservation in the regular budget request, as a line item for the forthcoming fiscal year, shall submit a special request for an amount equal to the sum of the allocations of each county to each conservation district, but in no event to exceed the sum of \$25,000 per district. This \$25,000 limitation shall be applicable for fiscal year 2008, and thereafter, subject to appropriations therefor. The ~~state conservation commission~~ Kansas department of agriculture division of conservation as soon as practicable after July 1 of the following year shall disburse such moneys as may be appropriated by the state for this purpose to each conservation district to match funds allocated by the commissioners of each county. Distribution shall be prorated in proportion to county allocations in the event that appropriations are insufficient for complete matching of funds. Municipal accounting procedures shall be used in the distribution of and in the expenditure of all funds.

Sec. 127. K.S.A. 2011 Supp. 2-1915 is hereby amended to read as follows: 2-1915. (a) Appropriations may be made for grants out of funds in the treasury of this state for terraces, terrace outlets, check dams, dikes, ponds, ditches, critical area planting, grassed waterways, tailwater recovery irrigation systems, precision land forming, range seeding, detention and grade stabilization structures and other enduring water conservation practices installed on public lands and on privately owned lands and, the control and eradication of sericea lespedeza as provided in subsection (n) of K.S.A. 2-1908, and amendments thereto, on public lands and on privately owned lands. Except as provided by the multipurpose small lakes program act, any such grant shall not exceed 80% of the total cost of any such practice.

(b) A program for protection of riparian and wetland areas shall be developed by the ~~state conservation commission~~ Kansas department of agriculture division of conservation and implemented by the conservation districts. The conservation districts shall prepare district programs to address resource management concerns of water quality, erosion and sediment control and wildlife habitat as part of the conservation district long-range and annual work plans. Preparation and implementation of conservation district programs shall be accomplished with assistance from appropriate state and federal agencies involved in resource management.

(c) Subject to the provisions of K.S.A. 2-1919, and amendments thereto, any holder of a water right, as defined by subsection (g) of K.S.A. 82a-701, and amendments thereto, who is willing to voluntarily return all or a part of the water right to the state shall be eligible for a grant not to exceed 80% of the total cost of the purchase price for such water right. The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall administer this cost-share program with funds appropriated by the legislature for such purpose. The chief engineer shall certify to the

~~state conservation commission~~ Kansas department of agriculture division of conservation that any water right for which application for cost-share is received under this section is eligible in accordance with the criteria established in K.S.A. 2-1919, and amendments thereto.

(d) (1) Subject to appropriation acts therefor, the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall develop the Kansas water quality buffer initiative for the purpose of restoring riparian areas using best management practices. The executive director of the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall ensure that the initiative is complementary to the federal conservation reserve program.

(2) There is hereby created in the state treasury the Kansas water quality buffer initiative fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director of the ~~state conservation commission~~ Kansas department of agriculture division of conservation or the executive director's designee. Money credited to the fund shall be used for the purpose of making grants to install water quality best management practices pursuant to the initiative.

(3) The county or district appraiser shall identify and map riparian buffers consisting of at least one contiguous acre per parcel of real property located in the appraiser's county. Notwithstanding any other provisions of law, riparian buffers shall be valued by the county or district appraiser as tame grass land, native grass land or waste land, as appropriate. As used in this subsection (3), "riparian buffer" means an area of stream-side vegetation that: (A) Consists of tame or native grass and may include forbs and woody plants; (B) is located along a perennial or intermittent stream, including the stream bank and adjoining floodplain; and (C) is a minimum of 66 feet wide and a maximum of 180 feet wide.

(e) The Kansas department of agriculture division of conservation with the approval of the ~~state conservation commission~~ shall adopt rules and regulations to administer such grant and protection programs.

(f) Any district is authorized to make use of any assistance whatsoever given by the United States, or any agency thereof, or derived from any other source, for the planning and installation of such practices. The ~~state conservation commission~~ Kansas department of agriculture division of conservation may enter into agreements with other state and federal agencies to implement the Kansas water quality buffer initiative.

Sec. 127. K.S.A. 2011 Supp. 2-1930 is hereby amended to read as follows: 2-1930.

(a) There is hereby established the water right transition assistance pilot project program. The program shall be administered by the ~~state conservation commission~~ Kansas department of agriculture division of conservation. The Kansas department of agriculture, division of water resources and recognized local governing agencies, including groundwater management districts, shall cooperate in program implementation. The program shall be administered for the purpose of reducing consumptive use in the target or high priority areas of the state by issuing water right transition grants for privately held water rights.

(b) (1) The ~~state conservation commission~~ Kansas department of agriculture division of conservation may receive and expend funds from the federal or state government, or private source for the purpose of carrying out the provisions of this section. The ~~state conservation commission~~ Kansas department of agriculture division

of conservation and the participating groundwater management districts shall carry over unexpended funds from one fiscal year to the next.

(2) Federal and state funds shall not exceed \$1,500,000 per year.

(3) ~~State conservation commission~~ Kansas department of agriculture division of conservation expenditures for permanent partial water right retirements shall not exceed 30% of the total amount of funds for the water right transition assistance pilot project program.

(c) ~~The state conservation commission~~ Kansas department of agriculture division of conservation may enter into water right transition assistance pilot project program contracts with landowners that will result in the permanent retirement of part or all of landowner historic consumptive use water rights by action of the chief engineer as provided for in subsection (f) of this section.

(d) All applications for permanent water right retirements shall be considered for funding.

(e) Permanent retirement of partial water rights shall only be approved by the Kansas department of agriculture division of water resources when the groundwater management district has the metering and monitoring capabilities necessary to ensure compliance with the program. When prioritizing among water right applications for acceptance under the water right transition assistance pilot project, where rights with similar hydrologic impacts are considered, priority should be given to the senior right as determined under the Kansas water appropriation act.

(f) Water rights enrolled in the water right transition assistance pilot project program for permanent retirement shall require the written consent of all landowners and authorized agents to voluntarily request dismissal and forfeiture of priority of the enrolled water right. Upon enrollment of the water right into the water right transition assistance pilot project program, the chief engineer of the Kansas department of agriculture division of water resources shall concurrently dismiss and terminate the water right in accordance with the terms of the contract.

(g) (1) ~~The state conservation commission~~ Kansas department of agriculture division of conservation shall make water right transition grants available only in areas that have been designated as target or high priority areas by the groundwater management districts and the chief engineer of the Kansas department of agriculture division of water resources or priority areas outside the groundwater management districts as designated by the chief engineer of the Kansas department of agriculture division of water resources.

(2) Two of the target or high priority areas shall be the prairie dog creek area located in hydrologic unit code 10250015 and the rattlesnake creek subbasin located in hydrologic unit code 11030009.

(h) Contracts accepted under the water right transition assistance program shall result in a net reduction in consumptive use equivalent to the amount of historic consumptive use of the water right or rights enrolled in the program based on the average historic consumptive water use. Except as provided for in subsections (i) and (j), once a water right transition assistance pilot project program grant has been provided, the land authorized to be irrigated by the water right or water rights associated with that grant shall not be irrigated permanently. Water right transition assistance pilot project program contracts shall be subject to such terms, conditions and limitations as may be necessary to ensure that such reduction in consumptive use occurs and can be

adequately monitored and enforced.

"Historic consumptive water use" means the average amount of water consumed by crops as a result of the lawful beneficial use of water for irrigation during four of the six preceding calendar years, with the highest and lowest years removed from the analysis. For purposes of this program, historic consumptive water use will be determined by multiplying the average reported water use for the four selected years by a factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drip irrigation systems, but not to exceed the net irrigation requirements for the 50% chance rainfall for the appropriate county as shown in K.A.R. 5-5-12. The applicant may also submit an engineering study that determines the average historic consumptive water use as an alternative method if it is demonstrated to be more accurate for the water right or water rights involved.

(i) Enrollment in the water right transition assistance pilot project program shall not subsequently prohibit irrigation of the land that, prior to enrollment, was authorized by the water right or water rights if irrigation can be lawfully allowed by another water right or permit pursuant to the rules and regulations and consideration of any future changes to other water rights that may be proposed to be transferred to such land.

(j) If more than one water right overlaps the place of use authorized by the water right proposed to be enrolled in the water right transition assistance pilot project program, then all overlapping water rights shall be enrolled in water right transition assistance pilot project program or the landowners shall take the necessary lawful steps to eliminate the overlap with the water right to be enrolled. The burden shall be on the landowner to provide sufficient information to substantiate that the proposed use of water by the resulting exercise of all water rights involved will result in the net reduction amount of historic consumptive water use by the water right or water rights to be enrolled. The ~~state conservation commission~~ Kansas department of agriculture division of conservation may require such documentation to be provided by someone with special knowledge or experience related to water rights and such operations.

(k) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall adopt rules and regulations as necessary for the administration of this section. When adopting such rules and regulations the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall consider cropping, system design, metered water use and all other pertinent information that will permit a verifiable reduction in annual water consumptive use and permit alternative crop or other use of the land so that the landowner's economic opportunities are taken into account.

(l) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall report annually to the senate standing committee on natural resources and the house standing committee on environment on the economic impact studies being conducted on the reduction of water consumption and the financial impact on the communities within the program areas. Such studies shall include comparative data for areas and communities outside the program areas.

(m) The water right transition assistance pilot project program shall expire five years from the effective date of the fiscal year for which state moneys are appropriated thereof and approval of program rules and regulations.

(n) Water right transition assistance grants for water rights to remain unused for the contract period shall constitute due and sufficient cause for nonuse pursuant to K.S.A.

82a-718, and amendments thereto, pursuant to the determination of the chief engineer for the duration of the water right transition assistance pilot project program contract.

(o) The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall hold at least two meetings in each water right transition assistance pilot project program area prior to entering into any water right transition assistance pilot project program contract for the permanent retirement of part or all of landowner historic consumptive use water rights. Such meetings shall inform the public of the possible economic and hydrologic impacts of the program. The ~~state conservation commission~~ Kansas department of agriculture division of conservation shall provide notice of such meetings through publication in local newspapers of record and in the Kansas register.

Sec. 129. K.S.A. 2011 Supp. 2-1931 is hereby amended to read as follows: 2-1931.

(a) Any person who commits any of the following may incur a civil penalty as provided by this section:

(1) Any violation of the Kansas water right transition assistance pilot project program act or any rule and regulation adopted thereunder; and

(2) any violation of term, condition or limitation defined and or imposed within the contractual agreement between the ~~state conservation commission~~ Kansas department of agriculture division of conservation and the water right owner.

(b) Any participant who violates any section of a water right transition assistance pilot project program contract shall be subject to either one or both of the following:

(1) A civil penalty of not less than \$100 nor more than \$1,000 per violation. Each day shall constitute a separate violation for purposes of this section; and

(2) repayment of the grant amount in its entirety plus a penalty at six percent of the full grant amount.

(c) Any penalties or reimbursements received under this act shall be reappropriated for use in the water right transition assistance pilot project program.

Sec. 130. K.S.A. 24-1211 is hereby amended to read as follows: 24-1211. In not less than 12 months, nor more than 13 months after the recording of the certificates of incorporation, and annually thereafter, a meeting shall be held for the election of directors whose terms expire and also to render a report on the financial condition and activities of the district including the estimated construction date of all proposed projects to be initiated within the next five years and the board's determination as to whether each of these projects is still cost effective and in the current public interest. Notice of the annual meeting shall be given at least 10 days prior to the date thereof by one publication in a newspaper of general circulation in each of the counties of which said watershed district is a part. Elections shall be by ballot. Qualified voters in attendance shall be entitled to vote at any such meeting. The directors shall fill any vacancy occurring on the board prior to the expiration of the term of any director by electing a substitute director to serve for the unexpired term.

The number of directors of a district or the date of the annual meeting, or both, may be changed at an annual meeting if notice of the proposition of making such change or changes is given at the annual meeting immediately preceding the annual meeting at which such change or changes are considered. If the number of directors is proposed to be changed, the proposition shall be introduced in the same manner as other items of business and shall clearly show the changes in representation of subwatersheds, if any, and in the length of terms of the directors. It shall be the duty of the board of directors

to include the proposition in the notice of the annual meeting at which such changes are being considered. If a majority of those voting are favorable, the election of directors shall be in conformance with the adopted proposal and all powers shall be exercised by the newly constituted board beginning immediately after the annual meeting. Copies of the minutes of the annual meeting and report on the financial condition and activities of the district shall be furnished to the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 131. K.S.A. 24-1212 is hereby amended to read as follows: 24-1212. Regular meetings of the board of directors shall be held no less than once each quarter on such day and place as is selected by the board of directors. Notice of such meeting shall be mailed to each director at least five days prior to the date thereof, and special meetings may be held at any time upon waiver of notice of such meeting by all directors or may be called by the president or any two directors at any time. Notice in writing, signed by the persons calling any special meeting, shall be mailed to each director at least two days prior to the time fixed for such special meeting. A majority of the directors shall constitute a quorum for the transaction of business and in the absence of any of the duly elected officers of the district a quorum at any meeting may select a director to act as such officer *pro tem*. Each meeting of the board, whether regular or special, shall be open to the public. Copies of the minutes of regular and special meetings shall be furnished to the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 132. K.S.A. 49-603 is hereby amended to read as follows: 49-603. As used in this act:

(a) "Director" means the executive director of the ~~commission~~ Kansas department of agriculture division of conservation or a designee.

(b) "Affected land" means the area of land from which overburden has been removed or upon which overburden has been deposited, or both, but shall not include crushing areas, stockpile areas or roads.

(c) "Commission" means the state conservation commission.

(d) "Mine" means any underground or surface mine developed and operated for the purpose of extracting rocks, minerals and industrial materials, other than coal, oil and gas. Mine does not include borrow areas created for construction purposes.

(e) "Operator" means any person who engages in surface mining or operation of an underground mine or mines.

(f) "Overburden" means all of the earth and other materials which lie above the natural deposits of material being mined or to be mined.

(g) "Peak" means a projecting point of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(h) "Pit" means a tract of land from which overburden has been or is being removed for the purpose of surface mining.

(i) "Ridge" means a lengthened elevation of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(j) (1) "Surface mining" means the mining of material, except for coal, oil and gas, for sale or for processing or for consumption in the regular operation of a business by removing the overburden lying above natural deposits and mining directly from the natural deposits exposed, or by mining directly from deposits lying exposed in their natural state, or the surface effects of underground mining. Surface mining shall

include dredge operations lying outside the high banks of streams and rivers.

(2) Removal of overburden and mining of limited amounts of any materials shall not be considered surface mining when done only for the purpose and to the extent necessary to determine the location, quantity or quality of the natural deposit, if the materials removed during exploratory excavation or mining are not sold, processed for sale or consumed in the regular operation of a business.

(k) "Topsoil" means the natural medium located at the land surface with favorable characteristics for growth of vegetation, which is normally the A or B, or both, soil horizon layers of the four soil horizons.

(l) "Active site" means a site where surface mining is being conducted.

(m) "Inactive site" means a site where surface mining is not being conducted but where overburden has been disturbed in the past for the purpose of conducting surface mining and an operator anticipates conducting further surface mining operations in the future.

(n) "Materials" means natural deposits of gypsum, clay, stone, sandstone, sand, shale, silt, gravel, volcanic ash or any other minerals of commercial value found on or in the earth with the exception of coal, oil and gas and those located within cut and fill portions of road rights-of-way.

(o) "Reclamation" means the reconditioning of the area of land affected by surface mining to a usable condition for agricultural, recreational or other use.

(p) "Stockpile" means the finished products of the mining of gypsum, clay, shale, stone, sandstone, sand, silt, gravel, volcanic ash or other minerals and removal from its natural position and deposited elsewhere for future use in the normal operation as a business.

(q) "Underground mining" means the extraction of rocks, minerals and industrial materials, other than coal, oil and gas, from the earth by developing entries or shafts from the surface to the seam or deposit before recovering the product by underground extraction methods.

(r) "Person" means any individual, firm, partnership, corporation, government or other entity.

(s) "Division" or "Kansas department of agriculture division of conservation" means the agency established by K.S.A. 2011 Supp. 74-5,126, and amendments thereto.

Sec. 133. K.S.A. 2011 Supp. 82a-220 is hereby amended to read as follows: 82a-220. (a) As used in this act:

(1) "Conservation project" means any project or activity that the director of the Kansas water office determines will assist in restoring, protecting, rehabilitating, improving, sustaining or maintaining the banks of the Arkansas, Kansas or Missouri rivers from the effects of erosion;

(2) "director" means the director of the Kansas water office; and

(3) "state property" means real property currently owned in full or in part by the state in the Arkansas, Kansas or Missouri rivers in Kansas, in and along the bed of the river to the ordinary high water mark on the banks of such rivers.

(b) (1) The director is hereby authorized to negotiate and grant easements on state property for construction and maintenance of conservation projects with cooperating landowners in such projects for the expected life of the project and with such terms and conditions as the director, after consultation with the Kansas department of agriculture, the Kansas department of health and environment, the Kansas department of wildlife

~~and parks, parks and tourism~~ and the ~~state conservation commission~~ Kansas department of agriculture division of conservation, may deem appropriate.

(2) Notice of the easement shall be given to the county or counties in which the easement is proposed and to any municipality or other governmental entity that, in the opinion of the director, holds a riparian interest in the river and may have an interest in the project or results thereof. Those persons or entities receiving notice shall have a period, not to exceed 30 days, to provide comment on the proposed easement to the director.

(3) In the event such an easement is proposed to be granted on state property owned or managed by any other agency of the state, the director shall give notice of the proposed easement and project to that agency and shall jointly negotiate any easement so granted.

(4) A copy of all easements so entered shall be filed by the director with the office of the secretary of state and the office of the register of deeds for the county or counties in which the easement is located.

(c) The director shall adopt rules and regulations necessary to carry out the provisions of this act.

Sec. 134. K.S.A. 82a-326 is hereby amended to read as follows: 82a-326. When used in this act:

(a) "Water development project" means any project or plan which may be allowed or permitted pursuant to K.S.A. 24-126, 24-1213, 82a-301 *et seq.*, and amendments thereto, or the multipurpose small lakes program act, and amendments thereto;

(b) "environmental review agencies" means the:

(1) Kansas department of wildlife ~~and parks, parks and tourism~~;

(2) Kansas forest service;

(3) state biological survey;

(4) Kansas department of health and environment;

(5) state historical society;

(6) ~~state conservation commission~~ Kansas department of agriculture division of conservation; and

(7) state corporation commission.

Sec. 135. K.S.A. 2011 Supp. 82a-903 is hereby amended to read as follows: 82a-903. In accordance with the policies and long-range goals and objectives established by the legislature, the office shall formulate on a continuing basis a comprehensive state water plan for the management, conservation and development of the water resources of the state. Such state water plan shall include sections corresponding with water planning areas as determined by the office. The Kansas water office and the Kansas water authority shall seek advice from the general public and from committees consisting of individuals with knowledge of and interest in water issues in the water planning areas. The plan shall set forth the recommendations of the office for the management, conservation and development of the water resources of the state, including the general location, character, and extent of such existing and proposed projects, programs, and facilities as are necessary or desirable in the judgment of the office to accomplish such policies, goals and objectives. The plan shall specify standards for operation and management of such projects, programs, and facilities as are necessary or desirable. The plan shall be formulated and used for the general purpose of accomplishing the coordinated management, conservation and development

of the water resources of the state. The division of water resources of the Kansas department of agriculture, state geological survey, the division of environment of the department of health and environment, department of wildlife and parks, ~~state conservation commission, parks and tourism, Kansas department of agriculture division of conservation~~ and all other interested state agencies shall cooperate with the office in formulation of such plan.

Sec. 136. K.S.A. 2011 Supp. 82a-1602 is hereby amended to read as follows: 82a-1602. In order to provide public water supply storage and water related recreational facilities in the state there is hereby established a multipurpose small lakes program. The program shall be administered by the ~~state conservation commission~~ Kansas department of agriculture division of conservation. Except as otherwise provided by this act, ~~the Kansas department of agriculture division of conservation, with the approval of the state conservation commission~~ shall adopt all rules and regulations necessary to implement the provisions of this act.

Sec. 137. K.S.A. 2011 Supp. 82a-1603 is hereby amended to read as follows: 82a-1603. When used in this act:

(a) "Chief engineer" means the chief engineer of the division of water resources of the department of agriculture.

(b) "Class I funded project" means a proposed new project or renovation of an existing project located within the boundaries of an organized watershed district which is receiving or is eligible to receive financial participation from the ~~state conservation commission~~ Kansas department of agriculture division of conservation for the flood control storage portion of the project.

(c) "Class II funded project" means a proposed new project or renovation of an existing project which is receiving or is eligible to receive financial participation from the federal government.

(d) "Class III funded project" means a proposed new project or renovation of an existing project located outside the boundaries of an organized watershed district which is not receiving or is not eligible to receive financial participation from the ~~state conservation commission~~ Kansas department of agriculture division of conservation or the federal government except as provided in K.S.A. 82a-1606, and amendments thereto.

(e) "Flood control storage" means storage space in reservoirs to hold flood waters.

(f) "Future use public water supply storage" means storage space which the Kansas water office determines will be needed within the next 20 years for use by public water supply users in an area but for which there is no current sponsor.

(g) "General plan" means a preliminary engineering report describing the characteristics of the project area, the nature and methods of dealing with the soil and water problems within the project area, and the projects proposed to be undertaken by the sponsor within the project area. Such plan shall include maps, descriptions and other data as may be necessary for the location, identification and establishment of the character of the work to be undertaken; a cost-benefit analysis of alternatives to the project, including but not limited to, nonstructural flood control options and water conservation and reuse to reduce need for new water supply storage; and any other data and information as the chief engineer may require.

(h) "Land right" means real property as that term is defined by the laws of the state of Kansas and all rights thereto and interest therein and shall include any road, highway,

bridge, street, easement or other right-of-way thereon.

(i) "Multipurpose small lake project" means a dam and lake containing: (1) Flood control storage; and (2) either public water supply storage or recreation features or both.

(j) "Public water supply" means a water supply for municipal, industrial or domestic use.

(k) "Public water supply storage" means storage of water for municipal, industrial or domestic use.

(l) "Recreation feature" means water storage and related facilities for activities such as swimming, fishing, boating, camping or other related activities.

(m) "Renovation" means repair or restoration of an existing lake which contains water storage space for use as a public water supply and which has either recreational purposes or flood control purposes, or both.

(n) "Sponsor" means: (1) Any political subdivision of the state which has the power of taxation and the right of eminent domain; (2) any public wholesale water supply district; or (3) any rural water district.

(o) "Water user" means any city, rural water district, wholesale water district or any other political subdivision of the state which is in the business of furnishing municipal or industrial water to the public.

Sec. 138. K.S.A. 82a-1607 is hereby amended to read as follows: 82a-1607. Sponsors shall apply to the state conservation commission for participation in the multipurpose small lakes program. The review and approval process of the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall be established by rules and regulations which shall be consistent with the state water plan. Following review, the Kansas department of agriculture division of conservation with the approval of the state conservation commission shall request appropriations for specific projects from the legislature. Any funds appropriated to carry out the provisions of this act shall be administered by the ~~state conservation commission~~ Kansas department of agriculture division of conservation.

Sec. 139. K.S.A. 82a-1608 is hereby amended to read as follows: 82a-1608. (a) If state financial participation is approved for a multipurpose small lake project, the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall require a local nonpoint source management plan for the watersheds draining into the proposed lake. Such plan shall be submitted to and approved by the ~~state conservation commission~~ Kansas department of agriculture division of conservation before any state funds may be used for the proposed project.

(b) If public water supply storage is included in such a project, the sponsor shall have a water conservation plan which has been submitted to and approved by the chief engineer.

(c) Any funding provided by the state shall include money necessary to pay for cost-sharing expenses incurred for nonpoint source management pursuant to the plan required by subsection (a).

Sec. 140. K.S.A. 82a-1609 is hereby amended to read as follows: 82a-1609. (a) Before the ~~state conservation commission~~ Kansas department of agriculture division of conservation requests any appropriation for any multipurpose small lake project, the chief engineer shall review the cost-benefit analysis of alternatives to the project and shall:

(1) Submit the general plan to the appropriate state environmental review agencies pursuant to K.S.A. 82a-325, 82a-326 and 82a-327, and amendments thereto, for review and comment as provided by those sections; and

(2) publish notice of the review in the Kansas register, make the general plan available to the public and receive public comments on the proposed project for a period of 30 days following publication of the notice.

(b) If, in the review, a reasonable, less expensive alternative to the proposed project is identified and the ~~state conservation commission~~ Kansas department of agriculture division of conservation nevertheless requests an appropriation for the proposed project, the ~~commission~~ division shall submit its reasons for proceeding with participation in the project, together with substantiating documentation, with the budget estimate and program statement for such project.

(c) This section shall be part of and supplemental to the multipurpose small lakes program act.

Sec. 141. K.S.A. 82a-1702 is hereby amended to read as follows: 82a-1702. (a) The state shall provide financial assistance to certain public corporations for part of the costs or reimbursement of part of the costs of installation of water development projects, which derive general benefits to the state as a whole, or to a section thereof beyond the boundaries of such public corporation.

(b) Any public corporation shall be eligible for state financial assistance for a part of the costs it becomes actually and legally obligated to pay for all lands, easements, and rights-of-way for the water development projects in the event the state conservation commission shall find that: (1) Such public corporation has made application for approval of such financial assistance with the ~~state conservation commission~~ Kansas department of agriculture division of conservation in such form and manner as the ~~state conservation commission~~ Kansas department of agriculture division of conservation may require, which application each public corporation is hereby authorized to make; (2) such works will confer general flood control benefits beyond the boundaries of such public corporation in excess of 20% of the total flood control benefits of the works; (3) such works are consistent with the state water plan; (4) such public corporation will need such financial assistance for actual expenditures within the fiscal year next following; and (5) the legislature has appropriated funds for the payment of such sum. The payment authorized hereunder shall be limited to an amount equal to the total costs the public corporation shall become actually and legally obligated to spend for lands, easements, and rights-of-way for such water resource development works, multiplied by the ratio that the flood control benefits conferred beyond the boundaries of the public corporation bear to the total flood control benefits of the project. Such findings shall each be made at and in such manner as is provided by procedural rules and regulations which shall be adopted by the Kansas department of agriculture division of conservation with the approval of the state conservation commission.

(c) Any public corporation receiving financial assistance under this section shall apply those sums toward the satisfaction of the legal obligations for the specific lands, easements, and rights-of-way for which it receives them or toward the reimbursement of those accounts from which those legal obligations were satisfied, in whole or in part, and it shall return to the state any sums that are not in fact so applied. In ascertaining costs of lands, easements, and rights-of-way under this section, the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall not

consider any costs which relate to land treatment measures nor any costs for which federal aid for construction costs is granted pursuant to the watershed protection and flood prevention acts or pursuant to any other federal acts.

Sec. 142. K.S.A. 82a-1703 is hereby amended to read as follows: 82a-1703. The governing body of each public corporation eligible for state financial assistance under the provisions of this act shall make application for state payment each year to the ~~state conservation commission~~ Kansas department of agriculture division of conservation in such form and manner as the ~~state conservation commission~~ Kansas department of agriculture division of conservation may prescribe by its rules and regulations. Each year the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall determine what persons are eligible to receive financial assistance from the state, and the amounts thereof, pursuant to this act. In the event the ~~state conservation commission~~ Kansas department of agriculture division of conservation shall determine that any such application, including the amounts thereof, is proper and in compliance with this act and is supported by a resolution as provided in K.S.A. 82a-1704, and amendments thereto, the ~~state conservation commission~~ Kansas department of agriculture division of conservation may submit a request therefor as a part of its annual budget requests and estimates. Each such request shall be separately stated and identified. The budget item for each project shall contain the name of the project, the name of the public corporation to which the item relates, the county or counties in which such public corporation is located, the identification of the agreement or resolution supporting the request, and the amount of state payment requested therefor.

Sec. 143. K.S.A. 82a-1704 is hereby amended to read as follows: 82a-1704. In order that any public corporation eligible for state payments under the provisions of this act may receive payment from the state, the governing body of the public corporation shall adopt and transmit to the ~~state conservation commission~~ Kansas department of agriculture division of conservation an appropriate resolution requesting the ~~state conservation commission~~ Kansas department of agriculture division of conservation to approve payment to the requesting body of a sum or sums to be named within the limits of and for the purposes defined in this act. The resolution shall show the total cost allocated to the requesting body for providing the lands, easements, and rights-of-way for the works of improvement of the requesting body and shall pledge that all money received from the state under authority of this act will be applied solely to the purposes specified in this act.

Sec. 144. K.S.A. 2011 Supp. 82a-2007 is hereby amended to read as follows: 82a-2007. Subject to appropriations, there shall be an additional employee at the ~~state conservation commission~~ Kansas department of agriculture division of conservation to work on total maximum daily load compliance and to coordinate with the department and other appropriate federal and state agencies to further implement voluntary incentive based conservation programs to protect water quality.

Sec. 145. K.S.A. 2011 Supp. 82a-2101 is hereby amended to read as follows: 82a-2101. (a) On and after January 1, 2002, there is hereby imposed a clean drinking water fee at the rate of \$.03 per 1,000 gallons of water sold at retail by a public water supply system and delivered through mains, lines or pipes. Such fee shall be paid, administered, enforced and collected in the manner provided for the fee imposed by subsection (a)(1) of K.S.A. 82a-954, and amendments thereto. The price to the consumer of water sold at retail by any such system shall not include the amount of

such fee.

(b) (1) A public water supply system may elect to opt out of the fee imposed by this section by notifying, before October 1, 2001, the Kansas water office and the department of revenue of the election to opt out. Except as provided by subsection (b) (2), such election shall be irrevocable. Such public water supply system shall continue to pay all applicable sales tax on direct and indirect purchases of tangible personal property and services purchased by such system.

(2) On and after January 1, 2005, any public water supply system which elected to opt out of the fee imposed by subsection (a) may elect to collect such fee as provided by subsection (a) and direct and indirect purchases of tangible personal property and services by such system shall be exempt from sales tax as provided by K.S.A. 79-3606, and amendments thereto. Such election shall be irrevocable.

(c) The director of taxation shall remit to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, all moneys received or collected from the fee imposed pursuant to this section. Upon receipt thereof, the state treasurer shall deposit the entire amount in the state treasury and credit it as follows:

(1) $\frac{5}{106}$ of such amount shall be credited to the state highway fund and the remainder to the state general fund; and

(2) on and after July 1, 2007, $\frac{5}{106}$ of such amount shall be credited to the state highway fund and the remaining amount shall be credited to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, for use as follows: (A) Not less than 15% shall be used to provide on-site technical assistance for public water supply systems, as defined in K.S.A. 65-162a, and amendments thereto, to aid such systems in conforming to responsible management practices and complying with regulations of the United States environmental protection agency and rules and regulations of the department of health and environment; and (B) the remainder shall be used to renovate and protect lakes which are used directly as a source of water for such public water supply systems, so long as where appropriate, watershed restoration and protection practices are planned or in place.

(d) ~~The state conservation commission~~ Kansas department of agriculture division of conservation shall promulgate rules and regulations in coordination with the Kansas water office establishing the project application evaluation criteria for the use of such moneys under subsection (c)(2)(B).";

And by renumbering sections accordingly;

On page 5, in line 41, by striking all after "K.S.A."; in line 42, by striking all before "are" and inserting " 2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-551, 74-4002, 74-4003, 74-50, 161, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 2-1932, 2-3709, 32-951, 47-417a, 47-437, 47-

611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1307, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-552, 74-553, 74-555, 74-567, 74-50,156, 74-50,157, 74-50,158, 74-50,159, 74-50,160, 74-50,162, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101";

On page 1, in the title, in line 1, before "agricultural" by inserting "the Kansas department of agriculture; changes due to the establishment of the division of animal health, the agriculture marketing and promotions program and the division of conservation;" in line 2, by striking all after "K.S.A."; by striking all in line 3; in line 4, by striking all before the last period and inserting "2-909, 2-1903, 2-1904, 2-1907, 24-1211, 24-1212, 47-122a, 47-230, 47-239, 47-414, 47-414a, 47-416, 47-416a, 47-417, 47-418a, 47-420, 47-422, 47-428, 47-429, 47-432, 47-433, 47-434, 47-435, 47-441, 47-442, 47-446, 47-448, 47-605, 47-607, 47-607a, 47-607d, 47-608, 47-610, 47-613, 47-616, 47-618, 47-619, 47-620, 47-622, 47-626, 47-627, 47-629, 47-629a, 47-629b, 47-629c, 47-631, 47-632, 47-632a, 47-633a, 47-634, 47-635, 47-646a, 47-650, 47-651, 47-653, 47-653a, 47-653b, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-654, 47-655, 47-657, 47-658a, 47-658b, 47-660, 47-666, 47-667, 47-673, 47-1001, 47-1001d, 47-1501, 47-1506, 47-1511, 47-1701, 47-1725, 47-1735, 47-1804, 47-1808, 47-1832, 49-603, 65-171i, 66-1319, 74-4002, 74-4003, 75-1901, 75-1903, 75-3141, 75-3142, 82a-326, 82a-1607, 82a-1608, 82a-1609, 82a-1702, 82a-1703 and 82a-1704 and K.S.A. 2011 Supp. 2-907, 2-1907c, 2-1915, 2-1930, 2-1931, 2-3709, 32-951, 47-417a, 47-437, 47-611, 47-612, 47-624, 47-672, 47-674, 47-816, 47-1001e, 47-1008, 47-1011a, 47-1201, 47-1218, 47-1302, 47-1303, 47-1304, 47-1503, 47-1706a, 47-1709, 47-1721, 47-1731, 47-1805, 47-1809, 47-1831, 47-2101, 48-3502, 65-5721, 74-552, 74-553, 74-567, 74-50,156, 74-50,163, 75-37,121, 82a-220, 82a-903, 82a-1602, 82a-1603, 82a-2007 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-551 and 74-50,161 and K.S.A. 2011 Supp. 2-1932, 47-1307, 74-555, 74-50,157, 74-50,158, 74-50,159, 74-50,160 and 74-50,162";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Kerschen, the conference committee report on **HB 2503** was adopted.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico,

Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Feuerborn, Peterson, Phelps, Ward.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to Substitute for **HB 2689** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 4, by striking ", which may include all premises which are in close proximity"; in line 5, by striking "and are under the control of the applicant or licensee"; following line 7, by inserting:

"(c) The term "designated areas" for purposes of this section shall mean an area identified in the license application, which may include suites, that has controlled access and is separated from the general admission by a barrier.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2012.";

On page 3, following line 37, by inserting:

"(h) The provisions of this section shall take effect and be in force from and after July 1, 2012.";

On page 4, by striking all in lines 19 through 23;

And by redesignating paragraphs accordingly;

Also on page 4, following line 34, by inserting:

"(c) The provisions of this section shall take effect and be in force from and after July 1, 2012."; in line 35, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 7, in line 28, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 34, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 8, in line 12, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 9, in line 3, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 10, in line 2, before "K.S.A." by inserting "From and after July 1, 2012,"; in line 42, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 11, by striking all in lines 39 through 43;

By striking all on pages 12 and 13;

On page 14, by striking all in lines 1 through 25 and inserting the following:

"Sec. 11. K.S.A. 2011 Supp. 41-308a is hereby amended to read as follows: 41-308a. (a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection ~~(f)~~ (e), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

~~(5)~~ the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto, and no drinking establishment license shall be required to make such sales;

~~(5)~~ (6) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

~~(6)~~ (7) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

~~(7)~~ (8) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

~~(8)~~ (9) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2011 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection ~~(f)~~ (e), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than 60% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas.

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of ~~domestic wine, domestic fortified wine and wine~~ manufactured by the licensee and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any *bona fide* group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for *bona fide* educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 12. From and after July 1, 2012, K.S.A. 2011 Supp. 41-308a, as amended by section 11 of this act, is hereby amended to read as follows: 41-308a. (a) A farm winery

license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, public venues, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 41-2645, and amendments thereto, and caterers;

(3) the sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection (e), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(5) the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 *et seq.*, and amendments thereto, and no drinking establishment license shall be required to make such sales;

(6) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(7) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

(8) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; and

(9) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2011 Supp. 41-350, and amendments thereto.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (e), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

(c) Not less than ~~60%~~ 30% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. ~~The label of domestic wine and domestic fortified wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery.~~

(d) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of wine manufactured by the licensee and wine imported under subsection (e) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection (e) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

(e) The director may issue to the Kansas state fair or any *bona fide* group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for *bona fide* educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) This section shall be part of and supplemental to the Kansas liquor control act."; Also on page 14, in line 26, before "K.S.A." by inserting "From and after July 1,

2012,";

On page 16, in line 24, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 18, in line 33, by striking "other than citizenship and residence requirements, provided, that"; by striking all in line 34; in line 35, by striking "citizenship and residence requirements";

On page 19, in line 32, after "license" by inserting ", microdistillery license";

On page 20, following line 39, by inserting:

"Sec. 15. From and after July 1, 2012, K.S.A. 2011 Supp. 41-313 is hereby amended to read as follows: 41-313. (a) No corporation, either organized under the laws of this state, any other state or a foreign country, shall be issued a manufacturer's, distributor's, microbrewery, microdistillery or farm winery license unless the corporation has first procured a certificate of authority from the secretary of state to do business in this state as provided by law, appointed a citizen of the United States, and resident of Kansas, as its agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority of the corporation and full authority, control and responsibility for the conduct of all business and transactions of the corporation within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director with respect to the agent's character. The agent shall at all times be maintained by the corporation.

In addition, any corporation organized under the laws of any other state or foreign country, as a condition precedent to the issuance to it of any license, shall file with the secretary of state of the state of Kansas, a duly authorized and executed power of attorney, authorizing the secretary of state to accept service of process from the director and the courts of this state and to accept service of any notice or order provided for in this act, and all such acts by the secretary of state shall be fully binding upon the corporation.

(b) Every nonresident applicant on applying for a license or permit under this act, and as a condition precedent to obtaining such license or permit, shall file with the secretary of state of this state its written consent, irrevocable, that any action or garnishment proceeding may be commenced against such applicant in the proper court of any county in this state in which the cause of action shall arise or in which the plaintiff may reside by the service of process on the resident agent specified in subsection (a), and stipulating and agreeing that such service shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant. The written consent shall state that the courts of this state have jurisdiction over the person of such applicant and are the proper and convenient forum for such action and shall waive the right to request a change of jurisdiction or venue to a court outside this state and that all actions arising under this act and commenced by the applicant shall be brought in this state's courts as the proper and convenient forum. Such consent shall be executed by the applicant and if a corporation, by the president and secretary of the corporate applicant, and shall be accompanied by a duly certified copy of the order or resolution of the board of directors, trustees or managers authorizing the president and secretary to execute the same.";

Also on page 20, in line 40, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 21, in line 3, before "K.S.A." by inserting "From and after July 1, 2012,";
On page 22, in line 23, before "K.S.A." by inserting "From and after July 1, 2012,";
On page 23, in line 2, before "K.S.A." by inserting "From and after July 1, 2012,";
following line 20, by inserting:

"Sec. 20. From and after July 1, 2012, K.S.A. 2011 Supp. 41-501 is hereby amended to read as follows: 41-501. (a) As used in this section and K.S.A. 41-501a, and amendments thereto:

(1) "Gallon" means wine gallon.

(2) "Federal area" means any lands or premises which are located within the exterior boundaries of this state and which are held or acquired by or for the use of the United States or any department, establishment or agency of the United States.

(3) "Malt product" means malt syrup, malt extract, liquid malt or wort.

(b) (1) For the purpose of raising revenue a tax is imposed upon the manufacturing, using, selling, storing or purchasing alcoholic liquor, cereal malt beverage or malt products in this state or a federal area at a rate of \$.18 per gallon on beer and cereal malt beverage; \$.20 per gallon on all wort or liquid malt; \$.10 per pound on all malt syrup or malt extract; \$.30 per gallon on wine containing 14% or less alcohol by volume; \$.75 per gallon on wine containing more than 14% alcohol by volume; and \$2.50 per gallon on alcohol and spirits.

(2) The tax imposed by this section shall be paid only once and shall be paid by the person in this state or federal area who first manufactures, uses, sells, stores, purchases or receives the alcoholic liquor or cereal malt beverage. The tax shall be collected and paid to the director as provided in this act. If the alcoholic liquor or cereal malt beverage is manufactured and sold in this state or a federal area, the tax shall be paid by the manufacturer, microbrewery, microdistillery or farm winery producing it. If the alcoholic liquor or cereal malt beverage is imported into this state by a distributor for the purpose of sale at wholesale in this state or a federal area, the tax shall be paid by the distributor, and in no event shall such tax be paid by the manufacturer unless the alcoholic liquor or cereal malt beverage is manufactured in this state. If not to exceed one gallon, or metric equivalent, per person of alcoholic liquor has been purchased by a private citizen outside the borders of the United States and is brought into this state by the private citizen in such person's personal possession for such person's own personal use and not for sale or resale, such import is lawful and no tax payment shall be due thereon.

(c) Manufacturers, microbreweries, microdistilleries, farm wineries or distributors at wholesale of alcoholic liquor or cereal malt beverage shall be exempt from the payment of the gallonage tax imposed on alcoholic liquor and cereal malt beverage, upon satisfactory proof, including bills of lading furnished to the director by affidavit or otherwise as the director requires, that the liquor or cereal malt beverage was manufactured in this state but was shipped out of the state for sale and consumption outside the state.

(d) Wines manufactured or imported solely and exclusively for sacramental purposes and uses shall not be subject to the tax provided for by this section.

(e) The tax provided for by this section is not imposed upon:

(1) Any alcohol or wine, whether manufactured in or imported into this state, when sold to a nonbeverage user licensed by the state, for use in the manufacture of any of the following when they are unfit for beverage purposes: Patent and proprietary medicines

and medicinal, antiseptic and toilet preparations; flavoring extracts and syrups and food products; scientific, industrial and chemical products; or scientific, chemical, experimental or mechanical purposes; or

(2) the privilege of engaging in any business of interstate commerce or otherwise, which business may not be made the subject of taxation by this state under the constitution and statutes of the United States.

(f) The tax imposed by this section shall be in addition to all other taxes imposed by the state of Kansas or by any municipal corporation or political subdivision thereof.

(g) Retail sales of alcoholic liquor, sales of beer to consumers by microbreweries and sales of wine to consumers by farm wineries shall not be subject to the tax imposed by the Kansas retailers' sales tax act but shall be subject to the enforcement tax provided for in this act.

(h) Notwithstanding any ordinance to the contrary, no city shall impose an occupation or privilege tax on the business of any person, firm or corporation licensed as a manufacturer, distributor, microbrewery, microdistillery, farm winery, retailer or nonbeverage user under this act and doing business within the boundaries of the city except as specifically authorized by K.S.A. 41-310, and amendments thereto.

(i) The director shall collect the taxes imposed by this section and shall account for and remit all moneys collected from the tax to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and the state treasurer shall credit $\frac{1}{10}$ of the moneys collected from taxes imposed upon alcohol and spirits under subsection (b)(1) to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, and shall credit the balance of the moneys collected to the state general fund.

(j) If any alcoholic liquor manufactured in or imported into this state is sold to a licensed manufacturer or distributor of this state to be used solely as an ingredient in the manufacture of any beverage for human consumption, the tax imposed upon the manufacturer or distributor shall be reduced by the amount of the taxes which have been paid under this section as to the alcoholic liquor so used.

(k) The tax provided for by this section is not imposed upon alcohol or wine used by any school or college for scientific, chemical, experimental or mechanical purposes or by hospitals, sanatoria or other institutions caring for the sick. Any school, college, hospital, sanatorium or other institution caring for the sick may import alcohol or wine for scientific, chemical, experimental, mechanical or medicinal purposes by making application to the director for a permit to import it and receiving such a permit. Application for the permit shall be on a form prescribed and furnished by the director, and a separate permit shall be required for each purchase of alcohol or wine. A fee of \$2 shall accompany each application. All permits shall be issued in triplicate to the applicant and shall be under the seal of the office of the director. Two copies of the permit shall be forwarded by the applicant to the microbrewery, microdistillery, farm winery, manufacturer or distributor from which the alcohol or wine is purchased, and the microbrewery, microdistillery, farm winery, manufacturer or distributor shall return to the office of the director one copy of the permit with its shipping affidavit and invoice. Within 10 days after receipt of any alcohol or wine, the school, college, hospital or sanatorium ordering it shall file a report in the office of the director upon forms furnished by the director, showing the amount of alcohol or wine received, the

place where it is to be stored, from whom it was received, the purpose for which it is to be used and such other information as required by the director. Any school, college, hospital, sanatorium or institution caring for the sick, which complies with the provisions of this subsection, shall not be required to have any other license to purchase alcohol or wine from a microbrewery, microdistillery, farm winery, manufacturer or distributor.

Sec. 21. From and after July 1, 2012, K.S.A. 41-601 is hereby amended to read as follows: 41-601. Every manufacturer, distributor, microbrewery which sells any beer to a beer distributor at wholesale, microdistillery which sells any spirits to a spirits distributor at wholesale and farm winery which sells any wine to a distributor at wholesale shall between the 1st and 15th day of each calendar month, make return under oath to the director of all alcoholic liquor manufactured and sold by the manufacturer, distributor, microbrewery, microdistillery or farm winery in the course of business during the preceding calendar month. In the case of a distributor, the return shall also show: (a) The total amount of liquor purchased by the distributor during the preceding calendar month, the names of the distillers or distributors from whom purchased, the quantity of each brand and the price paid therefor; and (b) the names and locations of the retailers to whom alcoholic liquor was sold by the distributor during the preceding calendar month, the quantity of each brand and the price charged therefor. The return shall be made upon forms prescribed and furnished by the director and shall contain such other information as the director reasonably requires.

Sec. 22. From and after July 1, 2012, K.S.A. 41-602 is hereby amended to read as follows: 41-602. It is the duty of each manufacturer, distributor, microbrewery which sells any beer to a beer distributor, microdistillery which sells any spirits to a spirits distributor and farm winery which sells any wine to a distributor to keep complete and accurate records of all sales of liquor, wine or beer and complete and accurate records of all alcoholic liquors produced, manufactured, compounded or imported. The director, in the director's discretion, may prescribe reasonable and uniform methods for keeping records by manufacturers, distributors, microbreweries, microdistilleries and farm wineries as contemplated by K.S.A. 41-401 through 41-409, and amendments thereto.";

Also on page 23, in line 21, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 24, by striking all in lines 37 through 43;

By striking all on pages 25 and 26;

On page 27, by striking all in lines 1 through 32 and inserting the following:

"Sec. 24. From and after July 1, 2012, K.S.A. 2011 Supp. 41-710 is hereby amended to read as follows: 41-710. (a) No retailer's license shall be issued for premises unless such premises comply with all applicable zoning regulations.

(b) No microbrewery license, microdistillery license or farm winery license shall be issued for premises which are zoned for any purpose except agricultural, commercial or business purposes.

(c) No retailer's, microbrewery, microdistillery or farm winery license shall be issued for premises which:

(1) Are located within 200 feet of any public or parochial school or college or church, except that if any such school, college or church is established within 200 feet of any licensed premises after the premises have been licensed, the premises shall be an eligible location for retail licensing; or

(2) do not conform to all applicable building regulations.

Sec. 25. From and after July 1, 2012, K.S.A. 2011 Supp. 41-714 is hereby amended to read as follows: 41-714. (a) Any advertising of a farm winery, microdistillery or microbrewery shall be subject to approval by the director prior to its dissemination.

(b) The secretary of revenue may adopt, in accordance with K.S.A. 41-210, and amendments thereto, rules and regulations necessary to regulate and control the advertising, in any form, and display of alcoholic liquor.

Sec. 26. From and after July 1, 2012, K.S.A. 41-717 is hereby amended to read as follows: 41-717. (a) (1) Except as provided by subsection (a)(2), no person shall sell or furnish at retail and no microbrewery, microdistillery or farm winery shall sell to any consumer any alcoholic liquor on credit; on a passbook; on order on a store; in exchange for any goods, wares or merchandise; or in payment for any services rendered. If any person extends credit in violation of this subsection, the debt attempted to be created shall not be recoverable at law.

(2) A licensed retailer may sell alcoholic liquor and nonalcoholic malt beverage to a consumer, a licensed microbrewery may sell domestic beer to a consumer, a licensed microdistillery may sell domestic spirits to a consumer and a licensed farm winery may sell domestic wine to a consumer on credit pursuant to a credit card which entitles the user to purchase goods or services from at least 100 persons not related to the issuer of the credit card.

(b) No microbrewery, microdistillery, farm winery or retailer of alcoholic liquor shall accept a check for payment for alcoholic liquors sold by the winery or retailer to a consumer, other than the personal check of the person making the purchase.

Sec. 27. From and after July 1, 2012, K.S.A. 41-718 is hereby amended to read as follows: 41-718. (a) No person except a manufacturer, distributor, microbrewery, microdistillery, farm winery or wholesaler shall fill or refill, in whole or in part, any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor.

(b) No person shall have in the person's possession for sale at retail any bottles, casks or other containers containing alcoholic liquor, except in original packages.

Sec. 28. From and after July 1, 2012, K.S.A. 2011 Supp. 41-719 is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A. 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a ~~or~~ 41-308b or section 2, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such

premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

Sec. 29. From and after January 1, 2013, K.S.A. 2011 Supp. 41-719, as amended by section 28 of this act, is hereby amended to read as follows: 41-719. (a) (1) Except as otherwise provided herein and in K.S.A. 8-1599, and amendments thereto, no person shall drink or consume alcoholic liquor on the public streets, alleys, roads or highways or inside vehicles while on the public streets, alleys, roads or highways.

(2) Alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant

to K.S.A 41-2645, and amendments thereto, for such special event. Such special event must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held. No alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at any such special event.

(3) No person shall remove any alcoholic liquor from inside the boundaries of a special event as designated by the governing body of any city, county or township. The boundaries of such special event shall be clearly marked by signs, a posted map or other means which reasonably identify the area in which alcoholic liquor may be possessed or consumed at such special event.

(4) No person shall possess or consume alcoholic liquor inside the premises licensed as a special event that was not sold or provided by the licensee holding the temporary permit for such special event.

(b) No person shall drink or consume alcoholic liquor on private property except:

(1) On premises where the sale of liquor by the individual drink is authorized by the club and drinking establishment act;

(2) upon private property by a person occupying such property as an owner or lessee of an owner and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(3) in a lodging room of any hotel, motel or boarding house by the person occupying such room and by the guests of such person, if no charge is made for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance mixed with any alcoholic liquor and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place;

(4) in a private dining room of a hotel, motel or restaurant, if the dining room is rented or made available on a special occasion to an individual or organization for a private party and if no sale of alcoholic liquor in violation of K.S.A. 41-803, and amendments thereto, takes place; or

(5) on the premises of a manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a , 41-308b or section 2, and amendments thereto.

(c) No person shall drink or consume alcoholic liquor on public property except:

(1) On real property leased by a city to others under the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, if such real property is actually being used for hotel or motel purposes or purposes incidental thereto.

(2) In any state-owned or operated building or structure, and on the surrounding premises, which is furnished to and occupied by any state officer or employee as a residence.

(3) On premises licensed as a club or drinking establishment and located on property owned or operated by an airport authority created pursuant to chapter 27 of the Kansas Statutes Annotated, and amendments thereto, or established by a city.

(4) On the state fair grounds on the day of any race held thereon pursuant to the Kansas parimutuel racing act.

(5) On the state fairgrounds, if: (A) The alcoholic liquor is domestic beer or wine or wine imported under subsection (e) of K.S.A. 41-308a, and amendments thereto, and is

consumed only for purposes of judging competitions; (B) the alcoholic liquor is wine or beer and is sold and consumed during the days of the Kansas state fair on premises leased by the state fair board to a person who holds a temporary permit issued pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale and serving of such wine or beer, or both; or (C) the alcoholic liquor is consumed on nonfair days in conjunction with *bona fide* scheduled events involving not less than 75 invited guests and the state fair board, in its discretion, authorizes the consumption of the alcoholic liquor, subject to any conditions or restrictions the board may require.

(6) In the state historical museum provided for by K.S.A. 76-2036, and amendments thereto, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(7) On the premises of any state-owned historic site under the jurisdiction and supervision of the state historical society, on the surrounding premises and in any other building on such premises, as authorized by rules and regulations of the state historical society.

(8) In a lake resort within the meaning of K.S.A. 32-867, and amendments thereto, on state-owned or leased property.

(9) In the Hiram Price Dillon house or on its surrounding premises, subject to limitations established in policies adopted by the legislative coordinating council, as provided by K.S.A. 75-3682, and amendments thereto.

(10) On the premises of any Kansas national guard regional training center or armory, and any building on such premises, as authorized by rules and regulations of the adjutant general and upon approval of the Kansas military board.

(11) On the premises of any land or waters owned or managed by the department of wildlife, parks and tourism, except as otherwise prohibited by rules and regulations of the department adopted by the secretary pursuant to K.S.A. 32-805, and amendments thereto.

(12) On property exempted from this subsection (c) pursuant to subsection (d), (e), (f), (g) or (h).

(d) Any city may exempt, by ordinance, from the provisions of subsection (c) specified property the title of which is vested in such city.

(e) The board of county commissioners of any county may exempt, by resolution, from the provisions of subsection (c) specified property the title of which is vested in such county.

(f) The state board of regents may exempt from the provisions of subsection (c) the Sternberg museum on the campus of Fort Hays state university, or other specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(g) The board of regents of Washburn university may exempt from the provisions of subsection (c) the Mulvane art center and the Bradbury Thompson alumni center on the campus of Washburn university, and other specified property the title of which is vested in such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in accordance with policies adopted by such board.

(h) The board of trustees of a community college may exempt from the provisions of subsection (c) specified property which is under the control of such board and which is not used for classroom instruction, where alcoholic liquor may be consumed in

accordance with policies adopted by such board.

(i) Violation of any provision of this section is a misdemeanor punishable by a fine of not less than \$50 or more than \$200 or by imprisonment for not more than six months, or both.

(j) For the purposes of this section, "special event" means a picnic, bazaar, festival or other similar community gathering, which has been approved by the local governing body of any city, county or township.

Sec. 30. From and after July 1, 2012, K.S.A. 41-803 is hereby amended to read as follows: 41-803. (a) It shall be unlawful for any person to own, maintain, operate or conduct, either directly or indirectly, an open saloon.

(b) As used in this section, "open saloon" means any place, public or private, where alcoholic liquor is sold or offered or kept for sale by the drink or in any quantity of less than 100 milliliters (3.4 fluid ounces) or sold or offered or kept for sale for consumption on the premises where sold, but does not include any premises where the sale of liquor is authorized by the club and drinking establishment act or, on and after January 1, 1988, any manufacturer, microbrewery, microdistillery or farm winery, if authorized by K.S.A. 41-305, 41-308a or K.S.A., 41-308b or section 2, and amendments thereto.

(c) Any violation of the provisions of this section is a misdemeanor punishable by a fine of not more than \$500 and by imprisonment for not more than 90 days.

Sec. 31. From and after July 1, 2012, K.S.A. 41-901 is hereby amended to read as follows: 41-901. (a) No person shall manufacture, import for distribution as a distributor at wholesale or distribute or sell alcoholic liquor or cereal malt beverage at any place within the state without having first obtained a valid license therefor under the provisions of this act or under K.S.A. 41-2702, and amendments thereto. No person shall obtain a license to carry on the business authorized by the license as agent for another, obtain a license by fraud or make any false statement or otherwise violate any of the provisions of this act in obtaining any license hereunder. No person having obtained a license hereunder shall violate any of the provisions of this act with respect to the manufacture, possession, distribution or sale of alcoholic liquor or cereal malt beverage; or with respect to the maintenance of the licensed premises.

(b) Violation of subsection (a) shall be punishable as follows, except where other penalties are specifically provided by law:

(1) For a first offense, by a fine of not more than \$500; and

(2) for a second or subsequent offense, by a fine of not more than \$1,000 or by imprisonment for not more than six months, or both.

(c) Each day any person engages in business as a manufacturer, distributor, microbrewery, microdistillery, farm winery or retailer in violation of the provisions of this act shall constitute a separate offense.

(d) Any license obtained to carry on the business as agent for another or any license obtained by fraud or by false statements shall be revoked by the director. When a license has been revoked for obtaining a license to carry on the business authorized by the license as agent for another, or obtained a license by fraud or by any false statement, all alcoholic liquor in the possession of the person who procured the license shall be forfeited and sold and the proceeds of the sale shall be paid to the county treasurer of the county where the alcoholic liquor was located. During the pendency of any appeal from any order revoking a license, the director may obtain an order from the district court of the county where the alcoholic liquor is located, restraining the sale or disposal

of the alcoholic liquor. When an order revoking any license is issued by the director, the director shall forthwith forward by registered mail a certified copy of the order revoking the license under the seal of the director to the county attorney of the county where the alcoholic liquor is located.

Within 15 days after the order of revocation becomes final, the county attorney shall institute, against the person who procured the license, a civil action under the code of civil procedure in the district court of the county in the name of the state of Kansas on the relation of the county attorney to forfeit all alcoholic liquor. Summons shall be served as provided by the code of civil procedure upon the person who procured the license. Upon the return day of the summons issued or as soon after as convenient to the court, an order shall be entered by the court forfeiting the alcoholic liquor to the state of Kansas and ordering it to be sold by the sheriff of the county in which the forfeiture occurred. The order shall fix the time and place of sale and the method and manner in which the sale shall be held, together with notice of the sale as the court directs. After payment of all costs of the action, including a reasonable fee for the county attorney, the balance remaining shall be paid to the state treasurer pursuant to K.S.A. 20-2801, and amendments thereto.

Sec. 32. From and after July 1, 2012, K.S.A. 41-1101 is hereby amended to read as follows: 41-1101. (a) No distributor licensed under this act shall purchase any alcoholic liquor from any manufacturer, owner of alcoholic liquor at the time it becomes a marketable product, exclusive agent of such manufacturer or owner, microbrewery, microdistillery, farm winery or distributor of alcoholic liquor bottled in a foreign country either within or without this state, unless the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor files with the director a written statement sworn to by the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor or, in case of a corporation, one of its principal officers, agreeing to sell any of the brands or kinds of alcoholic liquor manufactured or distributed by the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor to any distributor licensed in this state and having a franchise to distribute the alcoholic liquor pursuant to K.S.A. 41-410, and amendments thereto, and to make such sales to all such licensed distributors in this state at the same current price and without discrimination. Each manufacturer, owner, exclusive agent, microbrewery, microdistillery or farm winery shall provide to each distributor written notice not less than 45 days before any change in the current price of any spirits or wine which such manufacturer, owner, exclusive agent, microbrewery, microdistillery or farm winery sells to such distributor. If any manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor making the agreement violates the agreement by refusing to sell such alcoholic liquor to any such franchised licensed distributor in this state or discriminates in current prices among such franchised licensed distributors making or attempting to make purchases of alcoholic liquor from the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor, the director shall notify, by registered mail, each such franchised licensed distributor in this state of the violation. Thereupon, it shall be unlawful for a franchised licensed distributor in this state to purchase any alcoholic liquor from the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor. If thereafter such a franchised licensed distributor purchases any alcoholic liquor from the manufacturer, owner,

exclusive agent, microbrewery, microdistillery, farm winery or distributor, such franchised distributor's license shall be revoked by the director. If any manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor of alcoholic liquor bottled in a foreign country, making any agreement hereunder, does not have a sufficient supply of alcoholic liquor of any of the brands or kinds which the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor manufactures or distributes to supply the demands of all licensed distributors having a franchise to distribute such alcoholic liquor, the manufacturer, owner, exclusive agent, microbrewery, microdistillery, farm winery or distributor may ration such alcoholic liquor and apportion the available supply among such franchised licensed distributors purchasing or attempting to purchase it, in accordance with a plan which shall be subject to the approval of the director.

(b) No retailer licensed under this act shall purchase any alcoholic liquor from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of alcoholic liquor distributed by the distributor and to provide service in connection therewith to any licensed retailer whose licensed premises are located within the geographic territory of the distributor's franchise for the alcoholic liquor, unless written approval to do otherwise is obtained from the director, and to make such sales to all such licensed retailers at the same current bottle, sleeve and case price and without discrimination. For purposes of this subsection the "same current bottle, sleeve and case price" for spirits and wine means a price effective for a specified period as designated by the distributor on or before the first day of each month. If any distributor making the agreement violates the agreement by refusing to sell or provide service to any such licensed retailer in this state without written approval of the director or discriminates in current prices among such licensed retailers making or attempting to make purchases of alcoholic liquor from the distributor, the director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of alcoholic liquor of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed retailers, the distributor may ration such alcoholic liquor and apportion the available supply among such licensed retailers purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

(c) No club or drinking establishment licensed in this state shall purchase any wine or beer from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of wine or beer distributed by the distributor to those clubs and drinking establishments to which the distributor is authorized to sell such wine or beer and to which the distributor desires to sell such wine or beer, unless written approval to do otherwise is obtained from the director and to make such sales to all such licensed clubs or drinking establishments at the same current bottle and case price and without discrimination. If any distributor making the agreement violates the agreement by refusing to sell to any such licensed club or drinking establishment in this state without written approval of the director or discriminates in current prices among such licensed clubs or drinking establishments making or attempting to make purchases of wine or beer from the distributor, the

director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of wine or beer of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed clubs or drinking establishments, the distributor may ration such wine or beer and apportion the available supply among such licensed clubs or drinking establishments purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

For the purposes of this subsection, a delivery charge shall not be considered a part of the price of wine or beer sold by a distributor.

(d) No retailer licensed under K.S.A. 41-2701 *et seq.*, and amendments thereto, shall purchase any cereal malt beverage from any distributor licensed under this act unless the distributor files with the director a written statement sworn to by the distributor, or in case of a corporation by one of its principal officers, agreeing to sell any of the brands or kinds of cereal malt beverage distributed by the distributor to those retailers to which the distributor is authorized to sell such cereal malt beverage, unless written approval to do otherwise is obtained from the director, and to make such sales to all such licensed retailers at the same current price and without discrimination. If any distributor making the agreement violates the agreement by refusing to sell to any such licensed retailer in this state without written approval of the director or discriminates in current prices among such licensed retailers making or attempting to make purchases of cereal malt beverage from the distributor, the director may revoke the license of the distributor. If any licensed distributor making any agreement hereunder does not have a sufficient supply of cereal malt beverage of any of the brands or kinds which the distributor distributes to supply the demands of all such licensed retailers, the distributor may ration such cereal malt beverage and apportion the available supply among such licensed retailers purchasing or attempting to purchase the same, in accordance with a plan which shall be subject to the approval of the director.

(e) No distributor shall sell alcoholic liquor or cereal malt beverage to a retailer licensed under the Kansas liquor control act, to a club, drinking establishment or caterer licensed under the club and drinking establishment act or to a retailer licensed under K.S.A. 41-2702, and amendments thereto, at a discount for multiple case lots.;

Also on page 27, in line 33, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 29, in line 42, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 30, by striking all in lines 8 through 37; in line 38, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 31, in line 1, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 17, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 30, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 32, in line 38, by striking "less"; in line 39, by striking "than \$200"; and inserting "more than \$1,000";

On page 33, following line 13, by inserting:

"Sec. 39. From and after July 1, 2012, K.S.A. 2011 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9), (12) or (13) of K.S.A. 41-311, and amendments thereto, except that the provisions of

subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization, or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) Any person who has a beneficial interest in a microbrewery, microdistillery or farm winery licensed pursuant to the Kansas liquor control act may be issued any or all of the following: (1) Class B club license; (2) drinking establishment license; and (3) caterer's license.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311, and amendments thereto, shall not apply in determining whether a beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person who does not own the premises for which a license is sought, or does

not, at the time the application is submitted, have a written lease thereon, except that an applicant seeking a license for a premises which is owned by a city or county, or is a stadium, arena, convention center, theater, museum, amphitheater or other similar premises may submit an executed agreement to provide alcoholic beverage services at the premises listed in the application in lieu of a lease.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.";

Also on page 33, in line 14, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 34, in line 20, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 35, in line 42, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 38, in line 11, before "K.S.A." by inserting "From and after July 1, 2012,";

On page 39, following line 8, by inserting:

"Sec. 44. From and after July 1, 2012, K.S.A. 2011 Supp. 75-5133 is hereby amended to read as follows: 75-5133. (a) Except as otherwise more specifically provided by law, all information received by the secretary of revenue, the director of taxation or the director of alcoholic beverage control from returns, reports, license applications or registration documents made or filed under the provisions of any law imposing any sales, use or other excise tax administered by the secretary of revenue, the director of taxation, or the director of alcoholic beverage control, or from any investigation conducted under such provisions, shall be confidential, and it shall be unlawful for any officer or employee of the department of revenue to divulge any such information except in accordance with other provisions of law respecting the enforcement and collection of such tax, in accordance with proper judicial order or as provided in K.S.A. 74-2424, and amendments thereto.

(b) The secretary of revenue or the secretary's designee may:

(1) Publish statistics, so classified as to prevent identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or the attorney general's designee;

(3) provide the post auditor access to all such excise tax reports or returns in accordance with and subject to the provisions of subsection (g) of K.S.A. 46-1106, and amendments thereto;

(4) disclose taxpayer information from excise tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) provide information from returns and reports filed under article 42 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, to county appraisers as is necessary to insure proper valuations of property. Information from such returns and reports may also be exchanged with any other state agency administering and collecting conservation or other taxes and fees imposed on or measured by mineral production;

(6) provide, upon request by a city or county clerk or treasurer or finance officer of any city or county receiving distributions from a local excise tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month, and identifying each business

location maintained by the retailer and such retailer's sales or use tax registration or account number;

(7) provide information from returns and applications for registration filed pursuant to K.S.A. 12-187, and amendments thereto, and K.S.A. 79-3601, and amendments thereto, to a city or county treasurer or clerk or finance officer to explain the basis of statistics contained in reports provided by subsection (b)(6);

(8) disclose the following oil and gas production statistics received by the department of revenue in accordance with K.S.A. 79-4216 *et seq.*, and amendments thereto: Volumes of production by well name, well number, operator's name and identification number assigned by the state corporation commission, lease name, leasehold property description, county of production or zone of production, name of purchaser and purchaser's tax identification number assigned by the department of revenue, name of transporter, field code number or lease code, tax period, exempt production volumes by well name or lease, or any combination of this information;

(9) release or publish liquor brand registration information provided by suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: Item number, universal numeric code, type status, product description, alcohol percentage, selling units, unit size, unit of measurement, supplier number, supplier name, distributor number and distributor name;

(10) release or publish liquor license information provided by liquor licensees, distributors, suppliers, farm wineries, microdistilleries and microbreweries in accordance with the liquor control act. The information to be released is limited to: County name, owner, business name, address, license type, license number, license expiration date and the process agent contact information;

(11) release or publish cigarette and tobacco license information obtained from cigarette and tobacco licensees in accordance with the Kansas cigarette and tobacco products act. The information to be released is limited to: County name, owner, business name, address, license type and license number;

(12) provide environmental surcharge or solvent fee, or both, information from returns and applications for registration filed pursuant to K.S.A. 65-34,150 and 65-34,151, and amendments thereto, to the secretary of health and environment or the secretary's designee for the sole purpose of ensuring that retailers collect the environmental surcharge tax or solvent fee, or both;

(13) provide water protection fee information from returns and applications for registration filed pursuant to K.S.A. 82a-954, and amendments thereto, to the secretary of the state board of agriculture or the secretary's designee and the secretary of the Kansas water office or the secretary's designee for the sole purpose of verifying revenues deposited to the state water plan fund;

(14) provide to the secretary of commerce copies of applications for project exemption certificates sought by any taxpayer under the enterprise zone sales tax exemption pursuant to subsection (cc) of K.S.A. 79-3606, and amendments thereto;

(15) disclose information received pursuant to the Kansas cigarette and tobacco act and subject to the confidentiality provisions of this act to any criminal justice agency, as defined in subsection (c) of K.S.A. 22-4701, and amendments thereto, or to any law enforcement officer, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, on behalf of a criminal justice agency, when requested in writing in conjunction with a pending investigation;

(16) provide to retailers tax exemption information for the sole purpose of verifying the authenticity of tax exemption numbers issued by the department; and

(17) provide information concerning remittance by sellers, as defined in K.S.A. 2011 Supp. 12-5363, and amendments thereto, of prepaid wireless 911 fees from returns to the local collection point administrator, as defined in K.S.A. 2011 Supp. 12-5363, and amendments thereto, for purposes of verifying seller compliance with collection and remittance of such fees.

(c) Any person receiving any information under the provisions of subsection (b) shall be subject to the confidentiality provisions of subsection (a) and to the penalty provisions of subsection (d).

(d) Any violation of this section shall be a class A, nonperson misdemeanor, and if the offender is an officer or employee of this state, such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute any violation of this section if the offender is a city or county clerk or treasurer or finance officer of a city or county.";

Also on page 39, in line 9, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 13, after "retailers" by inserting ", microbreweries, microdistilleries"; in line 19, after "microbreweries" by inserting ", microdistilleries"; in line 23, after "microbreweries" by inserting ", microdistilleries"; in line 25, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 27, after "microbrewery" by inserting ", microdistillery"; in line 30, after the comma by inserting "microdistillery,"; in line 34, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 37, after the comma by inserting "every microdistillery selling spirits to consumers,";

On page 40, following line 7, by inserting:

"Sec. 48. From and after July 1, 2012, K.S.A. 79-4104 is hereby amended to read as follows: 79-4104. Whenever the director of alcoholic beverage control issues a retailer's, distributor's, microbrewery, microdistillery or farm winery license, the director of alcoholic beverage control shall promptly notify the director of taxation of its issuance. The notice shall include the name of the licensee and, in the case of a retailer, microbrewery, microdistillery or farm winery, the address of the licensed premises. Whenever the director of alcoholic beverage control revokes or suspends any retailer's, distributor's, microbrewery, microdistillery or farm winery license or whenever any retailer's, distributor's, microbrewery, microdistillery or farm winery license expires, the director of alcoholic beverage control shall likewise notify the director of taxation.";

Also on page 40, in line 8, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 22, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 39, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 42, in line 31, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 45, in line 36, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 46, in line 7, before "K.S.A." by inserting "From and after July 1, 2012,,"; in line 29, before "K.S.A." by inserting "From and after July 1, 2012,,";

On page 47, in line 3, after "41-719" by inserting ", as amended by section 28 of this act,"; by striking all in lines 4 through 11 and inserting the following:

340, 41-341, 41-601, 41-602, 41-701, 41-717, 41-718, 41-803, 41-901, 41-1101, 41-2608, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, as amended by section 11 of this act, 41-310, 41-311, 41-313, 41-317, 41-319, 41-501, 41-710, 41-714, 41-719, 41-2601, 41-2622, 41-2623, 41-2629, 41-2645, 75-5133 and 79-41a03 are hereby repealed.

Sec. 58. K.S.A. 2011 Supp. 41-308a is hereby repealed.";

And by renumbering sections accordingly;

Also on page 47, in line 13, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "amending"; by striking all in lines 2 through 7; in line 8, by striking and 79-41a03" and inserting "K.S.A. 41-304, 41-306, 41-306a, 41-307, 41-308, 41-316, 41-320, 41-601, 41-602, 41-701, 41-717, 41-718, 41-803, 41-901, 41-1101, 41-2608, 41-2612, 41-2613, 41-2614, 41-2640, 41-2722, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2011 Supp. 41-102, 41-305, 41-308a, 41-308a, as amended by section 11 of this act, 41-310, 41-311, 41-313, 41-317, 41-319, 41-501, 41-710, 41-714, 41-719, 41-719, as amended by section 28 of this act, 41-2601, 41-2622, 41-2623, 41-2629, 41-2645, 75-5133 and 79-41a03";

And your committee on conference recommends the adoption of this report.

PETE BRUNGARDT

ROGER P. REITZ

OLETHA FAUST-GOUEAU

Conferees on part of Senate

STEVEN R. BRUNK

JOE PATTON

JUDITH LOGANBILL

Conferees on part of House

On motion of Rep. Brunk to adopt the conference committee report on **Sub HB 2689**, Rep. Peck offered a substitute motion to not adopt the conference committee report and asked that a new conference committee be appointed.

The substitute motion did not prevail.

The question reverted back to the original motion of Rep. Brunk and the conference committee report was adopted.

On roll call, the vote was: Yeas 97; Nays 24; Present but not voting: 0; Absent or not voting: 4.

Yeas: Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Davis, Denning, Dillmore, Fawcett, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Patton, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Schwab, Schwartz, Seiwert, Slattery, Sloan, Smith,

Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Collins, Colloton, Crum, DeGraaf, Donohoe, Feuerborn, Garber, C. Holmes, M. Holmes, Howell, Kelley, Kiegerl, Kinzer, O'Brien, O'Hara, Pauls, Peck, Ryckman, Scapa, Schroeder, Shultz, Siegfried, Tyson.

Present but not voting: None.

Absent or not voting: Grant, LeDoux, Mast, Weber.

EXPLANATIONS OF VOTE

MR. SPEAKER: There are 12 bills that have been bundled into **Sub HB 2689** and I support some of them. However, there are several bills that I have a problem with and I cannot support those provisions. Since we were not able to vote on them individually, I must vote no on **Sub HB 2689**. – JOSEPH SCAPA, PETE DEGRAAF

MR. SPEAKER: We all know alcohol is a controlled substance. Many a person who is under the influence of alcohol has participated in activities and conducted themselves in a manner that is uncharacteristic of and embarrassing to them. Passage of **Sub HB 2689** will increase the accessibility and consumption of alcoholic liquor in Kansas. Furthermore, County Fairs are not a place for the consumption of alcoholic liquor. **Sub HB 2689** opens wide the door that will allow that to happen. I vote NO on **Sub HB 2689**. – VIRGIL PECK, JR

MR. SPEAKER: AS one that comes from a broken family due mostly to alcoholism, I am sensitive to the harm and pain alcohol can cause. We need to be careful to ensure traditional family values are protected as we find ways to deregulate the alcohol industry in a balanced fashion. The Happy Hour provision in this bill specifically concerns me. On one hand, I want these businesses to maximize their ability to make money but not by pushing cheap drinks late at night. Kansas has a problem with DUIs and businesses in other states with similar laws promote late-night happy hours. I vote no on **Sub HB 2689**. – JIM HOWELL

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT AND MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2157** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed:

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

On motion of Rep. Carlson the conference committee report on **S Sub for HB 2157** to agree to disagree, was adopted.

Speaker pro tem Vickrey thereupon appointed Reps. Carlson, Kleeb and Dillmore as second conferees on the part of the House.

On motion of Rep. Siegfried, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 304**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 304** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 2, in line 1, by striking "this" and inserting "the batterer intervention program certification";

On page 3, in line 5, by striking "this" and inserting "the batterer intervention program certification"; in line 33, by striking "this" and inserting "the batterer intervention program certification"; in line 39, after the second "therapist," by inserting "licensed addiction counselor, licensed clinical addiction counselor,"; in line 41, by striking "master" and inserting "masters";

On page 4, in line 1, by striking "the effective date of this act" and inserting "January 1, 2013, "; in line 3, by striking "the effective date of this act" and inserting "January 1, 2013, "; in line 7, by striking "the"; in line 8, by striking "effective date of this act" and inserting "January 1, 2013";

On page 5, in line 41, after "therapist," by inserting "licensed addiction counselor, licensed clinical addiction counselor, "; in line 43, by striking "master" and inserting "masters";

On page 6, in line 6, by striking "the effective date of this act" and inserting "January 1, 2013, "; in line 7, by striking "the effective date of this act" and inserting "January 1, 2013, "; in line 12, by striking "the effective date of this act" and inserting "January 1, 2013"; in line 18, by striking "this" and inserting "the batterer intervention program certification"; in line 23, by striking "this" and inserting "the batterer intervention program certification"; in line 32, by striking "this" and inserting "the batterer intervention program certification";

On page 7, in line 9, by striking "this" and inserting "the batterer intervention program certification"; in line 13, by striking "this" and inserting "the batterer intervention program certification";

On page 8, in line 2, by striking "this" and inserting "the batterer intervention program certification"; in line 9, by striking "this" and inserting "the batterer

intervention program certification"; in line 17, by striking "this" and inserting "the batterer intervention program certification"; in line 20, by striking "this" and inserting "the batterer intervention program certification"; in line 26, by striking "this" and inserting "the batterer intervention program certification"; in line 28, by striking "this" and inserting "the batterer intervention program certification"; in line 38, by striking "this" and inserting "the batterer intervention program certification";

On page 9, in line 1, by striking "this act, and amendments"; in line 2, by striking "thereto"; and inserting "the batterer intervention program certification act"; in line 9, by striking "this" and inserting "the batterer intervention program certification"; in line 13, by striking "this" and inserting "the batterer intervention program certification"; in line 18, by striking "this" and inserting "the batterer intervention program certification"; in line 20, by striking "this" and inserting "the batterer intervention program certification"; in line 22, by striking "this" and inserting "the batterer intervention program certification"; in line 23, by striking "this" and inserting "the batterer intervention program certification"; in line 24, by striking "this" and inserting "the batterer intervention program certification"; in line 27, by striking "this" and inserting "the batterer intervention program certification"; in line 37, by striking "this" and inserting "the batterer intervention program certification"; in line 43, by striking "this" and inserting "the batterer intervention program certification";

On page 13, in line 20, after "program" by inserting ", unless otherwise ordered by the court or department of corrections"; in line 33, after the second "program" by inserting ", unless otherwise ordered by the court or department of corrections";

On page 14, by striking all in lines 34 through 43;

By striking all on pages 15 through 22;

On page 23, by striking all in lines 1 through 21 and inserting:

"Sec. 16. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six

months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments

thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 *et seq.*, and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and

-serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and ~~amendment~~ amendments thereto, or a community intermediate sanction center. Pursuant to this paragraph the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on

the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) The court in committing a defendant to the custody of the secretary of corrections shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time

authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the defendant shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such

person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to: (1) Undergo a domestic violence offender assessment and conducted by a certified batterer intervention program; and (2) follow all recommendations made by such program, unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court

for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.";

On page 23, in line 24, by striking "or in the municipal court"; in line 26, after "offense." by inserting "On and after July 1, 2013, in all criminal cases filed in the municipal court, if there is evidence that the defendant committed a domestic violence offense, the trier of fact shall determine whether the defendant committed a domestic violence offense.";

On page 24, by striking lines 4 and 5 and inserting:

"Sec. 18. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby amended to read as follows: 23-3508. (a) The court may order case management, when appropriate, of any contested issue of child custody or parenting time at any time, upon the motion of a party or on the court's own motion. A hearing officer in a proceeding pursuant to K.S.A. 2011 Supp. 23-3401, and amendments thereto, may order case management, if appropriate, of a contested issue of child visitation or parenting time in such a proceeding.

(b) Cases in which case management is appropriate shall include one or more of the following circumstances:

(1) Private or public neutral dispute resolution services have been tried and failed to resolve the disputes;

(2) other neutral services have been determined to be inappropriate for the family;

(3) repetitive conflict occurs within the family, as evidenced by the filing of at least two motions in a six-month period for enforcement, modification or change of residency, visitation, parenting time or custody which are denied by the court; or

(4) a parent exhibits diminished capacity to parent.

(c) If the court or hearing officer orders case management under subsection (a), the court or hearing officer shall appoint a case manager, taking into consideration the following:

(1) An agreement by the parties to have a specific case manager appointed by the court or hearing officer;

(2) the financial circumstances of the parties and the costs assessed by the case manager;

(3) the case manager's knowledge of (A) the Kansas judicial system and the procedure used in domestic relations cases, (B) other resources in the community to which parties can be referred for assistance, (C) child development, (D) clinical issues relating to children, (E) the effects of divorce on children and (F) the psychology of families; and

(4) the case manager's training and experience in the process and techniques of alternative dispute resolution and case management.

(d) To qualify as an appointed case manager, an individual shall:

(1) (A) Be currently licensed in Kansas as a licensed psychologist, licensed masters level psychologist, licensed clinical psychotherapist, licensed professional counselor, licensed clinical professional counselor, licensed marriage and family therapist, licensed clinical marriage and family therapist, licensed master social worker or licensed specialist social worker;

(B) be currently licensed to practice law in Kansas and have at least five years of experience in the field of domestic relations law or family law; or

(C) be a court services officer and have training in domestic relations cases as prescribed by the district court in which the case is filed;

~~(1)~~ (2) be qualified to conduct mediation;

~~(2)~~ (3) have experience as a mediator;

~~(3)~~ (4) attend ~~a workshop~~ one or more workshops, approved and as ordered by the district court in which the case is filed, on case management; and

~~(4)~~ (5) ~~participate in continuing education~~ complete a minimum number of continuing education hours regarding case management issues or abuse and control dynamics issues as established and approved by the supreme court.

(e) On and after September 1, 2012, any case manager appointed by the court prior to, on or after July 1, 2012, shall meet the requirements of subsection (d).

New Sec. 19. The provisions of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall be known as the Kansas family law code.

New Sec. 20. The provisions of the Kansas family law code shall be construed to secure the just, speedy, inexpensive and equitable determination of issues in all domestic relations matters.

New Sec. 21. Procedure under the Kansas family law code shall be governed by the Kansas code of civil procedure, and amendments thereto, except as this code otherwise specifically provides.

New Sec. 22. Evidence under the Kansas family law code shall be governed by the Kansas code of evidence, and amendments thereto, except as this code otherwise specifically provides.

New Sec. 23. The provisions of sections 19 through 22, and amendments thereto, shall be construed and applied retroactively.

New Sec. 24. (a) A decree in an action under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, may include orders on the following matters:

(1) An order changing or terminating the parties' marital status by divorce, annulment or separate maintenance;

(2) an order making an equitable division of the parties' property as authorized by article 28 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(3) an order regarding spousal support as authorized by article 29 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(4) an order for child support as authorized by article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto;

(5) an order allocating parental decision-making and entering a parenting plan as authorized by article 32 of chapter 23 of the Kansas Statutes Annotated, and

amendments thereto;

(6) an order changing one or both parties' names as authorized by K.S.A. 2011 Supp. 23-2716, and amendments thereto; and

(7) an order awarding costs and attorneys fees to either party under K.S.A. 2011 Supp. 23-2715, and amendments thereto.

(b) The provisions of this section shall be construed and applied retroactively.

New Sec. 25. The 2012 amendments to K.S.A. 2011 Supp. 23-2217, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304 and 23-3403 shall be construed and applied retroactively.

Sec. 26. K.S.A. 2011 Supp. 12-5005 is hereby amended to read as follows: 12-5005. (a) Every retired member of a local police or fire pension plan and every active member of the plan who is entitled to make an election to become a member of the Kansas police and firemen's retirement system pursuant to K.S.A. 12-5003 or 74-4955, and amendments thereto, and who does not so elect shall become a special member of the Kansas police and firemen's retirement system on the entry date of the city which is affiliating with the Kansas police and firemen's retirement system with regard to all active members and retired members of the local police or fire pension plan under K.S.A. 74-4954, and amendments thereto.

(b) Beginning with the first payroll for services as a policeman or fireman after an active member of a local police or fire pension plan becomes a special member of the Kansas police and firemen's retirement system under this section, the city shall deduct from the compensation of each special member the greater of 7% or the percentage rate of contribution which the active member was required to contribute to the local police or fire pension plan preceding the entry date of the city, as employee contributions. The deductions shall be remitted quarterly, or as the board of trustees otherwise provides, to the executive secretary of the Kansas public employees retirement system for credit to the Kansas public employees retirement fund. All deductions shall be credited to the special members' individual accounts beginning on July 1 of the year following the entry date of the city for purposes of all active and retired members of the local police and fire pension plan.

(c) Except as otherwise provided in this act, each active member of a local police or fire pension plan who becomes a special member of the Kansas police and firemen's retirement system under this section shall be subject to the provisions of and entitled to pensions and other benefits, rights and privileges to the extent provided under the local police and fire pension plan on the day immediately preceding the entry date of the city which is affiliating with the Kansas police and firemen's retirement system with regard to all active members and retired members of the plan.

(d) Each retired member of a local police or fire pension plan who becomes a special member of the Kansas police and firemen's retirement system under this section shall be entitled to receive from the Kansas police and firemen's retirement system a pension or any other benefit to the same extent and subject to the same conditions as existed under the local police or fire pension plan on the day immediately preceding the entry date of the city which is affiliating with the system with regard to all active members and retired members of the plan under K.S.A. 74-4954, and amendments thereto, except no retired special member shall be appointed in or to a position or office for which compensation is paid for service to the same state agency, or the same police

or fire department of a city, township, special district or county or the same sheriff's office of a county. This subsection shall not apply to service rendered by a retiree as a juror, as a witness in any legal proceeding or action, as an election board judge or clerk or in any other office or position of a similar nature. However, all such benefits paid shall be paid in accordance with the applicable requirements under section 401 (a)(9) of the federal internal revenue code of 1986 as applicable to governmental plans, as in effect on July 1, 2008, and the regulations thereto, as in effect on July 1, 2008, and in accordance with the provisions of K.S.A. 74-49,123, and amendments thereto. Any retiree employed by a participating employer in the Kansas police and firemen's retirement system shall not make contributions or receive additional credit under the system for that service. This subsection, except as it relates to contributions and additional credit, shall not apply to the employment of any retiree by the state of Kansas, or any county, city, township, special district, political subdivision or instrumentality of any one or several of the aforementioned for a period of not exceeding 30 days in any one calendar year.

(e) (1) Every pension or other benefit received by any special member pursuant to subsection (c) or (d) is hereby made and declared exempt from any tax of the state of Kansas or any political subdivision or taxing body of this state; shall not be subject to execution, garnishment, attachment or any other process or claim whatsoever, except such pension or benefit or any accumulated contributions due and owing from the system to such special member are subject to decrees for child support or maintenance, or both, as provided in ~~K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ articles 29, 30 and 31 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto; and shall be unassignable, except that within 30 days after the death of a retirant the lump-sum death benefit payable to a retirant pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to such retirant by the beneficiary of such retirant. The Kansas public employees retirement system shall not be a party to any action under ~~K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179, and amendments thereto~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and is subject to orders from such actions issued by the district court of the county where such action was filed. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from the system to be distributed by the system pursuant to this act.

(2) Every pension or other benefit received by any special member pursuant to subsection (c) or (d) is hereby made and declared exempt from any tax of the state of Kansas or any political subdivision or taxing body of this state; shall not be subject to execution, garnishment, attachment or any other process or claim whatsoever, except such pension or benefit or any accumulated contributions due and owing from the system to such special members are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code of 1986, as in effect on July

1, 2008. The provisions of this subsection shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994.

(f) (1) Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, each participating employer, pursuant to the provisions of section 414(h)(2) of the federal internal revenue code of 1986, as in effect on July 1, 2008, shall pick up and pay the contributions which would otherwise be payable by members as prescribed in subsection (b) commencing with the third quarter of 1984. The contributions so picked up shall be treated as employer contributions for purposes of determining the amounts of federal income taxes to withhold from the member's compensation.

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a member. A deduction shall be made from each member's compensation equal to the amount of the member's contributions picked up by the employer, provided that such deduction shall not reduce the member's compensation for purposes of computing benefits under K.S.A. 12-5001 to 12-5007, inclusive, and amendments thereto.

(3) Member contributions picked up by the employer shall be remitted quarterly, or as the board may otherwise provide, to the executive secretary for credit to the Kansas public employees retirement fund. Such contributions shall be credited to a separate account within the member's individual account so that amounts contributed by the member commencing with the third quarter of 1984 may be distinguished from the member contributions picked up by the employer. Interest shall be added annually to members' individual accounts.

Sec. 27. K.S.A. 13-1246a is hereby amended to read as follows: 13-1246a. (a) (1) Any board of public utilities in any municipality of the state of Kansas having a population of more than 120,000 shall be empowered to enter into an agreement with its employees for the purpose of reorganizing and establishing a board to be known as a board of pension trustees composed of six members, and for the purpose of continuing, revising, maintaining and adopting an equitable and adequate pension program for all of its employees, including retired employees, and their dependents. Three members of the board of pension trustees shall be appointed by the board of public utilities from its regular employees to serve at its discretion. Three members of the board of pension trustees shall be elected annually by all of the nonsupervisory employees of the board of public utilities from its nonsupervisory employees and shall serve for fixed periods of one year, commencing on July 1, of each year.

(2) Present employees of such board of public utilities, in order to pay the cost of implementing, continuing and operating such retirement pension plan for such present employees, shall contribute in the aggregate from their earnings not more than ½ of the costs of future-service pensions, and such board of public utilities shall pay or contribute the remaining portion thereof to any revised, continued or adopted retirement pension plan, as provided for herein.

(3) Any costs of paying increased pensions or benefits to retired employees and their dependents of such board of public utilities, and the costs of any back-service obligations under terms of such revised pension plan as may be found and determined to be proper and equitable, under rules and provisions to be adopted by such board of pension trustees, shall be borne in their entirety by such board of public utilities; and such contributions to such continued and revised retirement pension plan for the use and benefit of retired employees and their dependents which shall be made by such board of

public utilities shall be computed and based on sound actuarial standards.

(4) Such board of pension trustees shall be empowered to make and enter into an agreement with such board of public utilities, authorizing such board of pension trustees to take control and custody of all assets, property and funds presently held, controlled and in the possession of the now constituted retirement advisory council of such board of public utilities, and its present trustee, as the same was theretofore created and is now functioning as provided by K.S.A. 13-1247, and amendments thereto. The board shall provide for such additional funds as may be necessary to fulfill the purposes of this act.

(5) Such board of pension trustees shall be empowered to control and take immediately into and under its custody and control, title to and possession of all records, funds, property and assets of the such existing retirement advisory council of such board of public utilities, and its present trustees, as the same is now constituted by the provisions of K.S.A. 13-1247, and amendments thereto, which such retirement council of such board of public utilities, its powers, authority and duties shall be abolished, cease and terminate upon the effective date of this act.

(b) (1) The board of pension trustees shall establish a formal, adequate written pension plan with specific rules of eligibility for pension coverage for all present employees, including retired employees, and their dependents, of such board of public utilities. The plan and rules appertaining thereto may be amended at any time by the vote of four members of such board of pension trustees and may be the subject of negotiations between such board of public utilities and its employees, but subject to the revision, adoption and ratification of the same by such board of pension trustees, as the same is created and governed by the provisions of this act. The plan and rules shall be printed and distributed to all employees.

(2) Pensions and retirement benefits, received and paid under the such continued and revised retirement pension plan and rules promulgated by such board of pension trustees, to retired employees, their dependents, and present employees, shall at all times bear a reasonable relationship to the wages or earnings paid to any employee of such board of public utilities. Such benefits shall be compatible with any changes in cost of living indexes except, such plan and benefits payable shall at all times be in strict conformity with current, sound actuarial standards and principles.

(3) No employee shall be exempt from having contributions made on such employee's behalf or be precluded from receiving benefits for any reason other than lack of age, or an insufficient period or time of employment.

(4) No plan shall be adopted or modified at any future time which is not properly funded and in conformity with recognized, sound actuarial principles and standards.

(5) All funds and the earnings therefrom held in trust for the use and benefit of the employees and members, including retired employees and their dependents, of such board of public utilities, of any retirement pension plan continued, revised and adopted under the provisions of this act, shall be exempt from civil process, taxation or assessment, and shall not be subject to seizure or execution or liens of any kind. All benefits due to the members or to their beneficiaries of any retirement pension plan continued and revised under the provisions of this act, shall be exempt from any tax of the state of Kansas or any political subdivision or taxing body of the state and civil liability for debts of the members and employees, or their beneficiaries, receiving the same, and, except as otherwise provided, shall not be subject to seizure, execution or

process of any nature. Any annuity or benefit or accumulated contributions due and owing to any person under the provisions of any retirement pension plan continued and revised under the provisions of this act are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the United States internal revenue code of 1954, as amended. The provisions of this act shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994. Such retirement pension plan continued and revised under the provisions of this act, such board of pension trustees, or such board of public utilities shall not be a party to any action under ~~article 16 of chapter 60 of the Kansas Statutes Annotated~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may accept orders which it deems to be qualified under this subsection if such orders are issued by courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from such retirement pension plan pursuant to this act.

(6) The members and employees of any retirement pension plan continued, revised and adopted under the provisions of this act, may name one or more beneficiaries to receive any benefits that may be due or become due to such member and employee in the event of such member or employee's death.

Sec. 28. K.S.A. 2011 Supp. 20-164 is hereby amended to read as follows: 20-164.

(a) The supreme court shall establish by rule an expedited judicial process which shall be used in the establishment, modification and enforcement of orders of support pursuant to ~~the Kansas parentage act; K.S.A. 23-451 et seq., or 39-718a, prior to their repeal; K.S.A. 23-4,125 through 23-4,137, 39-718b or 39-755, and amendments thereto or K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3101 through 23-3113, 23-3201 through 23-3207, 23-3216, 23-3218 38-2243, 38-2244, 38-2255 or 39-7,135 and amendments thereto.~~

(b) The supreme court shall establish by rule an expedited judicial process for the enforcement of court orders granting visitation rights or parenting time.

Sec. 29. K.S.A. 2011 Supp. 20-165 is hereby amended to read as follows: 20-165.

The supreme court shall adopt rules establishing guidelines for the amount of child support to be ordered in any action in this state including, but not limited to, K.S.A. ~~38-4124 and 39-755~~ and K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, 23-2215,~~ and amendments thereto, article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and section 24, and amendments thereto. In adopting such rules, the court shall consider the criteria in K.S.A. ~~38-4124, 2011 Supp. 23-2215,~~ and amendments thereto.

Sec. 30. K.S.A. 2011 Supp. 20-302b is hereby amended to read as follows: 20-

302b. (a) A district magistrate judge shall have the jurisdiction and power, in any case in which a violation of the laws of the state is charged, to conduct the trial of traffic infractions, cigarette or tobacco infractions or misdemeanor charges, to conduct the preliminary examination of felony charges and to hear felony arraignments subject to assignment pursuant to K.S.A. 20-329, and amendments thereto. Except as otherwise

provided, in civil cases, a district magistrate judge shall have jurisdiction over actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 *et seq.*, and amendments thereto, and concurrent jurisdiction, powers and duties with a district judge. Except as otherwise specifically provided in subsection (b), a district magistrate judge shall not have jurisdiction or cognizance over the following actions:

(1) Any action, other than an action seeking judgment for an unsecured debt not sounding in tort and arising out of a contract for the provision of goods, services or money, in which the amount in controversy, exclusive of interests and costs, exceeds \$10,000. The provisions of this subsection shall not apply to actions filed under the code of civil procedure for limited actions, K.S.A. 61-2801 *et seq.*, and amendments thereto. In actions of replevin, the affidavit in replevin or the verified petition fixing the value of the property shall govern the jurisdiction. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code or to issue support orders as provided by paragraph (6) of this subsection;

(2) actions against any officers of the state, or any subdivisions thereof, for misconduct in office;

(3) actions for specific performance of contracts for real estate;

(4) actions in which title to real estate is sought to be recovered or in which an interest in real estate, either legal or equitable, is sought to be established. Nothing in this paragraph shall be construed as limiting the right to bring an action for forcible detainer as provided in the acts contained in K.S.A. 61-3801 through 61-3808, and amendments thereto. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to hear any action pursuant to the Kansas probate code;

(5) actions to foreclose real estate mortgages or to establish and foreclose liens on real estate as provided in the acts contained in article 11 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto;

(6) actions for divorce, separate maintenance or custody of minor children. Nothing in this paragraph shall be construed as limiting the power of a district magistrate judge to: (A) Except as provided in subsection (e), hear any action pursuant to the Kansas code for care of children or the revised Kansas juvenile justice code; (B) establish, modify or enforce orders of support, including, but not limited to, orders of support pursuant to the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 *et seq.*, and amendments thereto, the uniform interstate family support act, K.S.A. 2011 Supp. 23-36,101 *et seq.*, and amendments thereto, articles 29 or 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 23-4,125 through 23-4,137, 23-9,101 *et seq.*, 39-718b or 39-755 or K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2905, 23-3001 through 23-3006, 23-3101 through 23-3113, 23-3201 through 23-3207, 23-3216, 23-3218, 38-2338, 38-2339, or 38-2350 or 39-7,135, and amendments thereto; or (C) enforce orders granting visitation rights or parenting time;

(7) *habeas corpus*;

(8) receiverships;

(9) change of name;

(10) declaratory judgments;

(11) *mandamus* and *quo warranto*;

(12) injunctions;

- (13) class actions;
 - (14) rights of majority; and
 - (15) actions pursuant to K.S.A. 59-29a01 *et seq.*, and amendments thereto.
- (b) Notwithstanding the provisions of subsection (a), in the absence, disability or disqualification of a district judge, a district magistrate judge may:
- (1) Grant a restraining order, as provided in K.S.A. 60-902, and amendments thereto;
 - (2) appoint a receiver, as provided in K.S.A. 60-1301, and amendments thereto; and
 - (3) make any order authorized by K.S.A. 23-2707, and amendments thereto.
- (c) In accordance with the limitations and procedures prescribed by law, and subject to any rules of the supreme court relating thereto, any appeal permitted to be taken from an order or final decision of a district magistrate judge shall be tried and determined *de novo* by a district judge, except that in civil cases where a record was made of the action or proceeding before the district magistrate judge, the appeal shall be tried and determined on the record by a district judge.
- (d) Except as provided in subsection (e), upon motion of a party, the chief judge may reassign an action from a district magistrate judge to a district judge.
- (e) Upon motion of a party for a petition or motion filed under the Kansas code for care of children requesting termination of parental rights pursuant to K.S.A. 2011 Supp. 38-2361 through 38-2367, and amendments thereto, the chief judge shall reassign such action from a district magistrate judge to a district judge.

Sec. 31. K.S.A. 20-1204a is hereby amended to read as follows: 20-1204a. (a) When an order in a civil action has been entered, the court that rendered the same may order a person alleged to be guilty of indirect contempt of such order to appear and show cause why such person should not be held in contempt if there is filed a motion requesting an order to appear and show cause which is accompanied by an affidavit specifically setting forth the facts constituting the alleged violation.

(b) Except as provided in subsection (e), the order to appear and show cause shall be served upon the party allegedly in contempt by the sheriff or some other person appointed by the court for such purpose. Such order shall state the time and place where the person is to appear and shall be accompanied by a copy of the affidavit provided for in subsection (a). The court shall hear the matter at the time specified in the order, and upon proper showing, may extend the time so as to give the accused a reasonable opportunity to purge oneself of the contempt. If the court determines that a person is guilty of contempt such person shall be punished as the court shall direct.

(c) If, after proper service of the order to appear and show cause, the person served shall not appear in court as ordered, or if the court finds at a hearing held on motion of a party to the civil action that the person allegedly in contempt is secreting oneself to avoid the process of the court, the court may issue a bench warrant commanding that the person be brought before the court to answer for contempt. When such person is brought before the court, the court shall proceed as provided in subsection (b). The court may make such orders concerning the release of the person pending the hearing as the court deems proper.

(d) The provisions of this section shall apply to both criminal and civil contempts, but in the case of a criminal contempt the court on its own motion may cause the motion and affidavit provided for in subsection (a) to be filed.

(e) In cases involving an alleged violation of a restraining order issued pursuant to

~~paragraph (2) of subsection (a) of K.S.A. 60-1607~~ subsection (a)(2) of K.S.A. 2011 Supp. 23-2707, and amendments thereto, if the affidavit filed pursuant to subsection (a) alleges physical abuse in violation of the court's order, the court immediately may issue a bench warrant and proceed as provided in subsection (c).

(f) If a person is found guilty of contempt in a child support enforcement proceeding, including an assignment of child support rights to the commissioner of juvenile justice and the evidence shows that the person is or may be authorized to practice a profession by a licensing body as defined in K.S.A. 74-146, and amendments thereto, the court, in addition to any other remedies, may order that a notice pursuant to subsection (a) of K.S.A. 74-147, and amendments thereto be served on the licensing body. If the person found guilty of contempt as provided in this subsection is a licensed attorney, the court may file a complaint with the disciplinary administrator if the licensing agency is the Kansas supreme court, or the appropriate bar counsel's office if the licensee practices in another state.

(g) If a person is found guilty of contempt in a child support enforcement proceeding, including an assignment of child support rights to the commissioner of juvenile justice, in an amount equal to or greater than the amount of support payable for six months or the obligor has been ordered by the court to pay a sum certain each month toward the liquidation of the arrearages and the obligor has substantially failed to abide by that order, the court may restrict the obligor's driver's license. Such restriction may include, but not be limited to, driving to, from and during the course of such person's employment. The court may order the public office, as defined in ~~K.S.A. 23-4-106~~ K.S.A. 2011 Supp. 23-3102, and amendments thereto, to contact the division of vehicles of the department of revenue to restrict the obligor's driver's license as indicated in the court order until further order of the court.

(h) The court shall not recognize a motion to issue nor order in a civil or criminal action a contempt citation against any person who reports or publishes the information that a gag order has been issued by the court.

Sec. 32. K.S.A. 20-2618 is hereby amended to read as follows: 20-2618. Every annuity or other benefit received by any judge or other person pursuant to the retirement system for judges under the acts contained in article 26 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto, is exempt from any tax of the state of Kansas or any political subdivision or taxing body thereof; shall not be subject to execution, garnishment, attachment or except as otherwise provided, any other process or claim whatsoever; and shall be unassignable, except that within 30 days after the death of a retiree the lump-sum death benefit payable to a retiree pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to such retiree by the beneficiary of such retiree. Any annuity or benefit or accumulated contributions due and owing to any judge or any person under the provisions of the retirement system for judges are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code. The provisions of this act shall apply to any qualified domestic relations order which was filed or amended either before or after July 1, 1994. The Kansas public employees retirement system shall not be a party to any action under ~~article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto~~ the Kansas

family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may also accept orders which it deems to be qualified under this subsection from courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the pension or benefit or any accumulated contributions due and owing from the system to be distributed by the system pursuant to this act.

Sec. 33. K.S.A. 2011 Supp. 21-5808 is hereby amended to read as follows: 21-5808. (a) Criminal trespass is entering or remaining upon or in any:

(1) Land, nonnavigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and:

(A) Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;

(B) such premises or property are posted in a manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry; or

(C) such person enters or remains therein in defiance of a restraining order issued pursuant to K.S.A. ~~60-1607~~, 60-3105, 60-3106, 60-3107, 60-31a05 or 60-31a06 or K.S.A. 2011 Supp. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, and the restraining order has been personally served upon the person so restrained; or

(2) public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.

(b) Criminal trespass is a class B nonperson misdemeanor. Upon a conviction of a violation of subsection (a)(1)(C), a person shall be sentenced to not less than 48 consecutive hours of imprisonment which shall be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole.

(c) As used in this section:

(1) "Health care facility" means any licensed medical care facility, certificated health maintenance organization, licensed mental health center or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients; and

(2) "health care provider" means any person:

(A) licensed to practice a branch of the healing arts;

(B) licensed to practice psychology;

(C) licensed to practice professional or practical nursing;

(D) licensed to practice dentistry;

(E) licensed to practice optometry;

(F) licensed to practice pharmacy;

(G) registered to practice podiatry;

(H) licensed as a social worker; or

(I) registered to practice physical therapy.

(d) This section shall not apply to:

(1) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas

Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters and other premises in the making of a survey; or

(2) railroad property as defined in K.S.A. 2011 Supp. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 2011 Supp. 66-2302, and amendments thereto.

Sec. 34. K.S.A. 2011 Supp. 21-5924 is hereby amended to read as follows: 21-5924. (a) Violation of a protective order is knowingly violating:

(1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 ~~and or~~ 60-3107, and amendments thereto;

(2) a protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265, and amendments thereto;

(3) a restraining order issued pursuant to K.S.A. 2011 Supp. 23-2707, 38-2243, 38-2244 ~~and or~~ 38-2255 ~~and K.S.A. 60-1607~~, and amendments thereto;

(4) an order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;

(5) an order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person; or

(6) a protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.

(b) Violation of a protective order is a class A person misdemeanor.

(c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on such attorney's behalf, who is representing the defendant in any civil or criminal proceeding, from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on such attorney's behalf, shall be identified in any such contact.

(d) As used in this section, "order" includes any order issued by a municipal or district court.

Sec. 35. K.S.A. 2011 Supp. 23-2217 is hereby amended to read as follows: 23-2217. (a) If existence of the father and child relationship has been determined and payment of support is ordered under prior law, the court may order support and any related expenses to be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. If payment of support is ordered under this act, the court shall require such support and any related expense to be paid through the central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto.

(b) The provisions of the Kansas income withholding act, K.S.A. 2011 Supp. 23-3101 ~~through 23-3118, and 39-7,135~~ *et seq.*, and amendments thereto, shall apply to orders of support issued under this act or under the predecessor to this act.

(c) Willful failure to obey the judgment or order of the court is a civil contempt of the court. All remedies for the enforcement of judgments apply.

Sec. 36. K.S.A. 2011 Supp. 23-2704 is hereby amended to read as follows: 23-

2704. (a) *Verification of petition.* The truth of the allegations of any petition under this article must be verified by the petitioner in person or by the guardian of an incapacitated person.

(b) *Captions.* All pleadings shall be captioned, "In the matter of the marriage of _____ and _____." In the caption, the name of the petitioner shall appear first and the name of the respondent shall appear second, but the respective parties shall not be designated as such.

(c) *Contents of petition.* The grounds for divorce, annulment or separate maintenance shall be alleged as nearly as possible in the general language of the statute, without detailed statement of facts. If there are minor children of the marriage, the petition shall state their names and dates of birth and shall contain, or be accompanied by an affidavit which contains, the information required by K.S.A. 2011 Supp. 23-37,209, and amendments thereto.

(d) *Bill of particulars.* The opposing party may demand a statement of the facts which shall be furnished in the form of a bill of particulars. The facts stated in the bill of particulars shall be the specific facts upon which the action shall be tried. If interrogatories have been served on or a deposition taken of the party from whom the bill of particulars is demanded, the court in its discretion may refuse to grant the demand for a bill of particulars. A copy of the bill of particulars shall be delivered to the judge. The bill of particulars shall not be filed with the clerk of the court or become a part of the record except on appeal, and then only when the issue to be reviewed relates to the facts stated in the bill of particulars. The bill of particulars shall be destroyed by the district judge unless an appeal is taken, in which case the bill of particulars shall be destroyed upon receipt of the final order from the appellate court.

(e) *Service of process.* Service of process shall be made in the manner provided in article 3 of this 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 37. K.S.A. 2011 Supp. 23-2706 is hereby amended to read as follows: 23-2706. The court shall grant a requested decree of divorce, separate maintenance or annulment unless the granting of the decree is discretionary under this act or unless the court finds that there are no grounds for the requested alteration of marital status. If a decree of divorce, separate maintenance or annulment is denied for lack of grounds, the court shall nevertheless, if application is made by one of the parties, make the orders authorized by K.S.A. 2011 Supp. 23-2501 and 23-2502 articles 28, 29, 30 and 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 38. K.S.A. 2011 Supp. 23-2709 is hereby amended to read as follows: 23-2709. ~~In an action for divorce,~~ The court shall conduct a pretrial conference or conferences in accordance with K.S.A. 60-216, and amendments thereto, upon request of either party or on the court's own motion. Any pretrial conference shall be set on a date other than the date of trial and the parties shall be present or available within the courthouse.

Sec. 39. K.S.A. 2011 Supp. 23-2710 is hereby amended to read as follows: 23-2710. (a) ~~In an action for divorce,~~ After the filing of the answer or other responsive pleading by the respondent, the court, on its own motion or upon motion of either of the parties, may require both parties to the action to seek marriage counseling if marriage counseling services are available within the judicial district of venue of the action. Neither party shall be required to submit to marriage counseling provided by any

religious organization of any particular denomination.

(b) The cost of any counseling authorized by this section may be assessed as costs in the case.

Sec. 40. K.S.A. 2011 Supp. 23-2715 is hereby amended to read as follows: 23-2715. ~~In an action for divorce,~~ Costs and attorney fees may be awarded to either party as justice and equity require. The court may order that the amount be paid directly to the attorney, who may enforce the order in the attorney's name in the same case.

Sec. 41. K.S.A. 2011 Supp. 23-2717 is hereby amended to read as follows: 23-2717. If a party fails to comply with a provision of a decree, temporary order or injunction issued under ~~K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179~~ articles 27 through 38 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the obligation of the other party to make payments for support or maintenance or to permit visitation or parenting time is not suspended, but the other party may request by motion that the court grant an appropriate order.

Sec. 42. K.S.A. 2011 Supp. 23-2802 is hereby amended to read as follows: 23-2802. (a) ~~The decree~~ A decree under section 24, and amendments thereto, shall divide the real and personal property of the parties, including any retirement and pension plans, whether owned by either spouse prior to marriage, acquired by either spouse in the spouse's own right after marriage or acquired by the spouses' joint efforts, by: (1) A division of the property in kind; (2) awarding the property or part of the property to one of the spouses and requiring the other to pay a just and proper sum; or (3) ordering a sale of the property, under conditions prescribed by the court, and dividing the proceeds of the sale.

(b) Upon request, the trial court shall set a valuation date to be used for all assets at trial, which may be the date of separation, filing or trial as the facts and circumstances of the case may dictate. The trial court may consider evidence regarding changes in value of various assets before and after the valuation date in making the division of property. In dividing defined-contribution types of retirement and pension plans, the court shall allocate profits and losses on the nonparticipant's portion until date of distribution to that nonparticipant.

(c) In making the division of property the court shall consider: (1) The age of the parties; (2) the duration of the marriage; (3) the property owned by the parties; (4) their present and future earning capacities; (5) the time, source and manner of acquisition of property; (6) family ties and obligations; (7) the allowance of maintenance or lack thereof; (8) dissipation of assets; (9) the tax consequences of the property division upon the respective economic circumstances of the parties; and (10) such other factors as the court considers necessary to make a just and reasonable division of property.

(d) The decree shall provide for any changes in beneficiary designation on: (1) Any insurance or annuity policy that is owned by the parties, or in the case of group life insurance policies, under which either of the parties is a covered person; (2) any trust instrument under which one party is the grantor or holds a power of appointment over part or all of the trust assets, that may be exercised in favor of either party; or (3) any transfer on death or payable on death account under which one or both of the parties are owners or beneficiaries.

Nothing in this section shall relieve the parties of the obligation to effectuate any

change in beneficiary designation by the filing of such change with the insurer or issuer in accordance with the terms of such policy.

Sec. 43. K.S.A. 2011 Supp. 23-2902 is hereby amended to read as follows: 23-2902. (a) ~~Any decree of divorce or separate maintenance~~ A decree under section 24, and amendments thereto, may award to either party an allowance for future support denominated as maintenance, in an amount the court finds to be fair, just and equitable under all of the circumstances.

(b) Maintenance may be in a lump sum, in periodic payments, on a percentage of earnings or on any other basis.

(c) ~~The decree~~ A decree under section 24, and amendments thereto, may make the future payments modifiable or terminable under circumstances prescribed in the decree.

Sec. 44. K.S.A. 2011 Supp. 23-2905 is hereby amended to read as follows: 23-2905. (a) Except for good cause shown, every order requiring payment of maintenance under this ~~section~~ article shall require that the maintenance be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. A written agreement between the parties to make direct maintenance payments to the obligee and not pay through the central unit shall constitute good cause.

(b) If child support and maintenance payments are both made to an obligee by the same obligor, and if the court has made a determination concerning the manner of payment of child support, then maintenance payments shall be paid in the same manner.

Sec. 45. K.S.A. 2011 Supp. 23-3001 is hereby amended to read as follows: 23-3001. (a) In any action ~~for divorce or separate maintenance~~ under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the court shall make provisions for the support and education of the minor children.

(b) Regardless of the type of custodial arrangement ordered by the court, the court may order the child support and education expenses to be paid by either or both parents for any child less than 18 years of age, at which age the support shall terminate unless:

(1) The parent or parents agree, by written agreement approved by the court, to pay support beyond the time the child reaches 18 years of age;

(2) the child reaches 18 years of age before completing the child's high school education in which case the support shall not terminate automatically, unless otherwise ordered by the court, until June 30 of the school year during which the child became 18 years of age if the child is still attending high school; or

(3) the child is still a *bona fide* high school student after June 30 of the school year during which the child became 18 years of age, in which case the court, on motion, may order support to continue through the school year during which the child becomes 19 years of age so long as the child is a *bona fide* high school student and the parents jointly participated or knowingly acquiesced in the decision which delayed the child's completion of high school. The court, in extending support pursuant to subsection (b) (3), may impose such conditions as are appropriate and shall set the child support utilizing the guideline table category for 12-year through 18-year old children. For purposes of this section, "*bona fide* high school student" means a student who is enrolled in full accordance with the policy of the accredited high school in which the student is pursuing a high school diploma or a graduate equivalency diploma (GED).

(c) Provision for payment of support and educational expenses of a child after reaching 18 years of age if still attending high school shall apply to any child subject to

the jurisdiction of the court, including those whose support was ordered prior to July 1, 1992. If an agreement approved by the court prior to July 1, 1992, provides for termination of support before the date provided by subsection (b)(3), the court may review and modify such agreement, and any order based on such agreement, to extend the date for termination of support to the date provided by subsection (b)(3).

Sec. 46. K.S.A. 2011 Supp. 23-3004 is hereby amended to read as follows: 23-3004. Except for good cause shown, every order requiring payment of child support under this ~~section~~ article shall require that the support be paid through the central unit for collection and disbursement of support payments designated pursuant to K.S.A. 2011 Supp. 39-7,135, and amendments thereto. A written agreement between the parties to make direct child support payments to the obligee and not pay through the central unit shall constitute good cause, unless the court finds the agreement is not in the best interest of the child or children. The obligor shall file such written agreement with the court. The obligor shall maintain written evidence of the payment of the support obligation and, at least annually, shall provide such evidence to the court and the obligee.

Sec. 47. K.S.A. 2011 Supp. 23-3005 is hereby amended to read as follows: 23-3005. (a) Subject to the provisions of K.S.A. 23-36,207, and amendments thereto, the court may modify or change any prior child support order, including any order issued in a title IV-D case, within three years of the date of the original order or a modification order, when a material change in circumstances is shown, irrespective of the present domicile of the child or the parents. If more than three years has passed since the date of the original order or modification order, a material change in circumstance need not be shown.

(b) The court may make a modification of child support retroactive to a date at least one month after the date that the motion to modify was filed with the court. Any increase in support ordered effective prior to the date the court's judgment is filed shall not become a lien on real property pursuant to K.S.A. 60-2202, and amendments thereto.

Sec. 48. K.S.A. 2011 Supp. 23-3207 is hereby amended to read as follows: 23-3207. After making a determination of the legal custodial arrangements, the court shall determine the residency of the child from the following options, which arrangement the court must find to be in the best interest of the child. The parties shall submit to the court either an agreed parenting plan or, in the case of dispute, proposed parenting plans for the court's consideration. Such options are:

(a) *Residency.* The court may order a residential arrangement in which the child resides with one or both parents on a basis consistent with the best interests of the child.

(b) *Divided residency.* In an exceptional case, the court may order a residential arrangement in which one or more children reside with each parent and have parenting time with the other.

(c) *Nonparental residency.* If during the proceedings the court determines that there is probable cause to believe that the child is a child in need of care as defined by subsections (d)(1), (d)(2), (d)(3) or (d)(11) of K.S.A. 2011 Supp. 38-2202, and amendments thereto, or that neither parent is fit to have residency, the court may award temporary residency of the child to a grandparent, aunt, uncle or adult sibling, or, another person or agency if the court finds by written order that:

(1) (A) The child is likely to sustain harm if not immediately removed from the

home;

(B) allowing the child to remain in the home is contrary to the welfare of the child; or

(C) immediate placement of the child is in the best interest of the child; and

(2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety of the child. In making such a residency order, the court shall give preference, to the extent that the court finds it is in the best interests of the child, first to awarding such residency to a relative of the child by blood, marriage or adoption and second to awarding such residency to another person with whom the child has close emotional ties. The court may make temporary orders for care, support, education and visitation that it considers appropriate. Temporary residency orders are to be entered in lieu of temporary orders provided for in K.S.A. 2011 Supp. 38-2243 and 38-2244, and amendments thereto, and shall remain in effect until there is a final determination under the revised Kansas code for care of children. An award of temporary residency under this paragraph shall not terminate parental rights nor give the court the authority to consent to the adoption of the child. When the court enters orders awarding temporary residency of the child to an agency or a person other than the parent, the court shall refer a transcript of the proceedings to the county or district attorney. The county or district attorney shall file a petition as provided in K.S.A. 2011 Supp. 38-2234, and amendments thereto, and may request termination of parental rights pursuant to K.S.A. 2011 Supp. 38-2266, and amendments thereto. The costs of the proceedings shall be paid from the general fund of the county. When a final determination is made that the child is not a child in need of care, the county or district attorney shall notify the court in writing and the court, after a hearing, shall enter appropriate custody orders pursuant to this ~~section~~ article. If the same judge presides over both proceedings, the notice is not required. Any ~~disposition order~~ pursuant to the revised Kansas code for care of children shall be binding and shall ~~supersede~~ take precedence over any order under this ~~section~~ article.

Sec. 49. K.S.A. 2011 Supp. 23-3208 is hereby amended to read as follows: 23-3208. (a) Parents. A parent is entitled to reasonable parenting time unless the court finds, after a hearing, that the exercise of parenting time would seriously endanger the child's physical, mental, moral or emotional health.

(b) Enforcement of rights. An order granting ~~visitation rights or~~ parenting time pursuant to this section under this article may be enforced in accordance with the uniform child custody jurisdiction and enforcement act, or K.S.A. 2011 Supp. 23-3401, and amendments thereto.

(c) Court-ordered exchange or parenting time at a child exchange and visitation center. The court may order exchange or ~~visitation parenting time~~ to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.

Sec. 50. K.S.A. 2011 Supp. 23-3215 is hereby amended to read as follows: 23-3215. (a) A parent entitled to legal custody of, or residency of, or parenting time with a child pursuant to K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218,~~ and amendments thereto, shall give written notice to the other parent of one or more of the following events when such parent: (1) Is subject to the registration

requirements of the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, or any similar act in any other state, or under military or federal law; (2) has been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto; (3) is residing with an individual who is known by the parent to be subject to the registration requirements of the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, or any similar act in any other state, or under military or federal law; or (4) is residing with an individual who is known by the parent to have been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent within 14 days following such event.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) An event described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time.

Sec. 51. K.S.A. 2011 Supp. 23-3219 is hereby amended to read as follows: 23-3219. (a) A party filing a motion to modify a final order pertaining to child custody or residential placement pursuant to ~~K.S.A. 2011 Supp. 23-2201 and 23-2205 through 23-2225 or K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-2403, 23-3510 and 28-179~~ article 22, 27 or 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall include with specificity in the verified motion, or in an accompanying affidavit, all known factual allegations which constitute the basis for the change of custody or residential placement. If the court finds that the allegations set forth in the motion or the accompanying affidavit fail to establish a *prima facie* case, the court shall deny the motion. If the court finds that the motion establishes a *prima facie* case, the matter may be tried on factual issues.

(b) In the event the court is asked to issue an *ex parte* order modifying a final child custody or residential placement order based on alleged emergency circumstances, the court shall:

(1) Attempt to have the nonmoving party's counsel, if any, present before taking up the matter.

(2) Set the matter for review hearing at the earliest possible court setting after issuance of the *ex parte* order, but in no case later than 15 days after issuance.

(3) Require personal service of the order and notice of review hearing on the nonmoving party.

No *ex parte* order modifying a final custody or residential placement order shall be entered without sworn testimony to support a showing of the alleged emergency.

Sec. 52. K.S.A. 2011 Supp. 23-3221 is hereby amended to read as follows: 23-3221. (a) The court may modify an order granting or denying parenting time ~~or visitation rights~~ whenever modification would serve the best interests of the child.

(b) Repeated unreasonable denial of or interference with ~~visitation rights or~~ parenting time granted ~~pursuant to this section under this article~~ may be considered a material change of circumstances which justifies modification of a prior order of legal

custody, residency, ~~visitation~~ or parenting time.

(c) Any party may petition the court to modify an order granting ~~visitation rights or~~ parenting time to require that the exchange or transfer of children for ~~visitation or~~ parenting time take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. ~~The court may modify an order granting visitation whenever modification would serve the best interests of the child.~~

Sec. 53. K.S.A. 2011 Supp. 23-3222 is hereby amended to read as follows: 23-3222. (a) Except as provided in subsection (d), a parent entitled to legal custody or residency of or parenting time with a child pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto, under this article shall give written notice to the other parent not less than 30 days prior to: (1) Changing the residence of the child; or (2) removing the child from this state for a period of time exceeding 90 days. Such notice shall be sent by restricted mail, return receipt requested, to the last known address of the other parent.

(b) Failure to give notice as required by subsection (a) is an indirect civil contempt punishable as provided by law. In addition, the court may assess, against the parent required to give notice, reasonable attorney fees and any other expenses incurred by the other parent by reason of the failure to give notice.

(c) A change of the residence or the removal of a child as described in subsection (a) may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, child support or parenting time. In determining any motion seeking a modification of a prior order based on change of residence or removal as described in (a), the court shall consider all factors the court deems appropriate including, but not limited to: (1) The effect of the move on the best interests of the child; (2) the effect of the move on any party having rights granted pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, ~~and amendments thereto under this article~~; and (3) the increased cost the move will impose on any party seeking to exercise rights granted under K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, ~~and amendments thereto this article.~~

(d) A parent entitled to the legal custody or residency of a child pursuant to K.S.A. 2011 Supp. 23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218, and amendments thereto, under this article shall not be required to give the notice required by this section to the other parent when the other parent has been convicted of any crime specified in article 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2011 Supp. 21-5401 through 21-5609, 21-6104, 21-6325, 21-6326, 21-6419, 21-6420 or 21-6421, and amendments thereto, in which the child is the victim of such crime.

Sec. 54. K.S.A. 2011 Supp. 23-3301 is hereby amended to read as follows: 23-3301. (a) In an action under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, grandparents and stepparents may be granted visitation rights.

(b) ~~The court may modify an order granting or denying parenting time or visitation rights whenever modification would serve the best interests of the child.~~

(c) ~~Repeated unreasonable denial of or interference with visitation rights or~~

parenting time granted pursuant to this section may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency, visitation or parenting time.

(d) (1) ~~The court may order exchange or visitation to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.~~

(2) ~~Any party may petition the court to modify an order granting visitation rights or parenting time to require that the exchange or transfer of children for visitation or parenting time take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. The court may modify an order granting visitation whenever modification would serve the best interests of the child.~~

(b) The district court may grant the grandparents of an unmarried minor child reasonable visitation rights to the child during the child's minority upon a finding that the visitation rights would be in the child's best interests and when a substantial relationship between the child and the grandparent has been established.

(c) The district court may grant the parents of a deceased person visitation rights, or may enforce visitation rights previously granted, pursuant to this section, even if the surviving parent has remarried and the surviving parent's spouse has adopted the child. Visitation rights may be granted pursuant to this subsection without regard to whether the adoption of the child occurred before or after the effective date of this act.

Sec. 55. K.S.A. 2011 Supp. 23-3302 is hereby amended to read as follows: 23-3302. ~~(a) The district court may grant the grandparents of an unmarried minor child reasonable visitation rights to the child during the child's minority upon a finding that the visitation rights would be in the child's best interests and when a substantial relationship between the child and the grandparent has been established.~~

~~(b) The district court may grant the parents of a deceased person visitation rights, or may enforce visitation rights previously granted, pursuant to this section, even if the surviving parent has remarried and the surviving parent's spouse has adopted the child. Visitation rights may be granted pursuant to this subsection without regard to whether the adoption of the child occurred before or after the effective date of this act.~~

(a) The court may modify an order granting or denying parenting time or visitation rights whenever modification would serve the best interests of the child.

(b) Repeated unreasonable denial of or interference with visitation rights or parenting time granted under section 24, and amendments thereto, may be considered a material change of circumstances which justifies modification of a prior order of legal custody, residency or visitation rights.

(c) (1) The court may order exchange or visitation to take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto.

(2) Any party may petition the court to modify an order granting visitation rights to require that the exchange or transfer of children for visitation take place at a child exchange and visitation center, as established in K.S.A. 75-720, and amendments thereto. The court may modify an order granting visitation whenever modification would serve the best interests of the child.

Sec. 56. K.S.A. 2011 Supp. 23-3304 is hereby amended to read as follows: 23-3304. Costs and reasonable attorney fees shall be awarded to the respondent in an action filed pursuant to K.S.A. 38-429 et seq., K.S.A. 2011 Supp. 22-3302 et seq., and amendments thereto, unless the court determines that justice and equity otherwise require.

Sec. 57. K.S.A. 2011 Supp. 23-3403 is hereby amended to read as follows: 23-3403. (a) Any order custody or parenting time order, or order relating to the best interests of a child, issued pursuant to the revised Kansas code for care of children or the revised Kansas juvenile justice code, ~~shall be binding and~~ shall take precedence over any order under ~~this act or K.S.A. 2011 Supp. 23-2701 through 23-2718, 23-2802, 23-2901 through 23-2905, 23-3001 through 23-3006, 23-3119, 23-3120, 23-3201 through 23-3222, 23-3301, 23-3402, 23-3403, 23-3510 and 28-179~~ article 32 or 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto ~~(divorce)~~, or K.S.A. 60-1610, prior to its repeal, until jurisdiction under the revised Kansas code for care of children or the revised Kansas juvenile justice code is terminated.

(b) An order granting visitation rights under article 33 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, or parenting time ~~pursuant to this section under article 32 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto~~, may be enforced in accordance with the uniform child custody jurisdiction and enforcement act, or ~~K.S.A. 2011 Supp. 23-3401, and amendments thereto~~ this article.

Sec. 58. K.S.A. 2011 Supp. 38-1518 is hereby amended to read as follows: 38-1518. (a) Fingerprints or photographs shall not be taken of any person under 18 years of age who is taken into custody for any purpose, except:

- (1) As authorized by K.S.A. 2011 Supp. 38-2313, and amendments thereto; or
- (2) if authorized by a judge of the district court having jurisdiction.

(b) Fingerprints and photographs taken under subsection (a)(2) shall be kept readily distinguishable from those of persons of the age of majority.

(c) Fingerprints and photographs taken under subsection (a)(2) may be sent to a state or federal repository only if authorized by a judge of the district court having jurisdiction.

(d) Nothing in this section shall preclude the custodian of the child from authorizing photographs or fingerprints of the child to be used in any action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto.

(e) This section shall be part of and supplemental to the Kansas code for care of children.

Sec. 59. K.S.A. 2011 Supp. 38-2201 is hereby amended to read as follows: 38-2201. K.S.A. 2011 Supp. 38-2201 through 38-2283, and amendments thereto, shall be known as and may be cited as the revised Kansas code for care of children.

(a) Proceedings pursuant to this code shall be civil in nature and all proceedings, orders, judgments and decrees shall be deemed to be pursuant to the parental power of the state. Any orders pursuant to this code shall take precedence over any similar order under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto ~~(determination of parentage)~~, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(adoption and relinquishment act)~~, article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(guardians and conservators)~~, ~~article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divorce)~~, or article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto ~~(protection from abuse act)~~, until jurisdiction under this code is terminated.

(b) The code shall be liberally construed to carry out the policies of the state which are to:

(1) Consider the safety and welfare of a child to be paramount in all proceedings under the code;

(2) provide that each child who comes within the provisions of the code shall receive the care, custody, guidance control and discipline that will best serve the child's welfare and the interests of the state, preferably in the child's home and recognizing that the child's relationship with such child's family is important to the child's well being;

(3) make the ongoing physical, mental and emotional needs of the child decisive considerations in proceedings under this code;

(4) acknowledge that the time perception of a child differs from that of an adult and to dispose of all proceedings under this code without unnecessary delay;

(5) encourage the reporting of suspected child abuse and neglect;

(6) investigate reports of suspected child abuse and neglect thoroughly and promptly;

(7) provide for the protection of children who have been subject to physical, mental or emotional abuse or neglect or sexual abuse;

(8) provide preventative and rehabilitative services, when appropriate, to abused and neglected children and their families so, if possible, the families can remain together without further threat to the children;

(9) provide stability in the life of a child who must be removed from the home of a parent; and

(10) place children in permanent family settings, in absence of compelling reasons to the contrary.

(c) Nothing in this code shall be construed to permit discrimination on the basis of disability.

(1) The disability of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability and harm to the child.

(2) In cases involving a parent with a disability, determinations made under this code shall consider the availability and use of accommodations for the disability, including adaptive equipment and support services.

Sec. 60. K.S.A. 2011 Supp. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, which is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an *ex parte* protective custody order pursuant to K.S.A. 2011 Supp. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or

emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-977 or 72-1111, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, subsection (j) of K.S.A. 74-8810, subsection (m) or (n) of K.S.A. 79-3321, or subsection (a)(14) of K.S.A. 2011 Supp. 21-6301, and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act which if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2011 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in ~~or~~ subsection (a)(14) of K.S.A. 2011 Supp. 21-6301, and amendments thereto; or

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 2011 Supp. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11, of chapter 38 of the Kansas Statutes Annotated, and amendments thereto ~~(determination of parentage)~~, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(adoption and relinquishment act)~~, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto ~~(guardians and conservators)~~; ~~or article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divorce).~~

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian *ad litem* who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 2011 Supp. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute which vests in a custodian, whether an individual or an agency, the

right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in subsection (a) of K.S.A. 72-89b03, and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 2011 Supp. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders which must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care" means the placement of a child in the home of the child's relative or in the home of another adult with whom the child or the child's parent already has a close emotional attachment.

(r) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 2011 Supp. 38-2228, and amendments thereto, which has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation which requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall not for that reason be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to subsection (a)(2) of K.S.A. 2011 Supp. 38-2217, and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 2011 Supp. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Relative" means a person related by blood, marriage or adoption but, when referring to a relative of a child's parent, does not include the child's other parent.

(bb) "Secretary" means the secretary of social and rehabilitation services or the secretary's designee.

(cc) "Secure facility" means a facility which is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or which relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(dd) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include allowing, permitting or encouraging a child to engage in prostitution or to be photographed, filmed or depicted in pornographic material.

(ee) "Shelter facility" means any public or private facility or home other than a juvenile detention facility that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the

issuance of a dispositional order or longer term care under a dispositional order.

(ff) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(gg) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for children and which is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 61. K.S.A. 2011 Supp. 38-2203 is hereby amended to read as follows: 38-2203. (a) Proceedings concerning any child who may be a child in need of care shall be governed by this code, except in those instances when the court knows or has reason to know that an Indian child is involved in the proceeding, in which case, the Indian child welfare act of 1978-~~25~~ U.S.C. § 1901 *et seq.*, applies. The Indian child welfare act may apply to: The filing to initiate a child in need of care proceeding-~~(K.S.A. 2011 Supp. 38-2234, and amendments thereto);~~ *ex parte* custody orders-~~(K.S.A. 2011 Supp. 38-2242, and amendments thereto);~~ temporary custody hearing-~~(K.S.A. 2011 Supp. 38-2243, and amendments thereto);~~ adjudication-~~(K.S.A. 2011 Supp. 38-2247, and amendments thereto);~~ burden of proof-~~(K.S.A. 2011 Supp. 38-2250, and amendments thereto);~~ disposition-~~(K.S.A. 2011 Supp. 38-2255, and amendments thereto);~~ permanency hearings-~~(K.S.A. 2011 Supp. 38-2264, and amendments thereto);~~ termination of parental rights-~~(K.S.A. 2011 Supp. 38-2267, 38-2268 and 38-2269, and amendments thereto);~~ establishment of permanent custodianship-~~(K.S.A. 2011 Supp. 38-2268 and 38-2272, and amendments thereto);~~ the placement of a child in any foster, pre-adoptive and adoptive home and the placement of a child in a guardianship arrangement under article 30 of chapter 59-~~article 30~~ of the Kansas Statutes Annotated, and amendments thereto.

(b) Subject to the uniform child custody jurisdiction and enforcement act, ~~K.S.A. 38-1336 through 38-1377~~ K.S.A. 2011 Supp. 23-37.101 through 23-37.405, and amendments thereto, the district court shall have original jurisdiction of proceedings pursuant to this code.

(c) The court acquires jurisdiction over a child by the filing of a petition pursuant to this code or upon issuance of an *ex parte* order pursuant to K.S.A. 2011 Supp. 38-2242, and amendments thereto. When the court acquires jurisdiction over a child in need of care, jurisdiction may continue until the child has: (1) Become 18 years of age, or until June 1 of the school year during which the child became 18 years of age if the child is still attending high school unless there is no court approved transition plan, in which event jurisdiction may continue until a transition plan is approved by the court or until the child reaches the age of 21; (2) been adopted; or (3) been discharged by the court. Any child 18 years of age or over may request, in writing to the court, that the jurisdiction of the court cease. The court shall give notice of the request to all parties and interested parties and 30 days after receipt of the request, jurisdiction will cease.

(d) When it is no longer appropriate for the court to exercise jurisdiction over a child, the court, upon its own motion or the motion of a party or interested party at a hearing or upon agreement of all parties or interested parties, shall enter an order discharging the child. Except upon request of the child pursuant to subsection (c), the

court shall not enter an order discharging a child until June 1 of the school year during which the child becomes 18 years of age if the child is in an out-of-home placement, is still attending high school and has not completed the child's high school education.

(e) When a petition is filed under this code, a person who is alleged to be under 18 years of age shall be presumed to be under that age for the purposes of this code, unless the contrary is proved.

(f) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a civil custody case, a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (protection from abuse act), or a comparable case in another jurisdiction, except as provided by ~~K.S.A. 38-1336 et seq.~~ K.S.A. 2011 Supp. 23-37,101 through 23-37,405, and amendments thereto (uniform child custody jurisdiction and enforcement act).

Sec. 62. K.S.A. 2011 Supp. 38-2220 is hereby amended to read as follows: 38-2220. (a) If the court determines that the information contained in the petition concerning parentage of the child may be incomplete or incorrect, the court shall determine whether the question has been previously adjudicated and whether service of process should be made on some additional person.

(b) If it appears that the issue of parentage needs to be adjudicated, the court shall stay child support proceedings, if any are pending in the case, with respect to that alleged parent and child relationship, until the dispute is resolved by agreement, by a separate action under the Kansas parentage act, ~~K.S.A. 38-1110 et seq.~~ K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto, or otherwise. Nothing in this subsection shall be construed to limit the power of the court to carry out the purposes of the code.

Sec. 63. K.S.A. 2011 Supp. 38-2221 is hereby amended to read as follows: 38-2221. (a) Fingerprints or photographs of a person alleged or adjudicated to be a child in need of care may be taken:

(1) By a person authorized to investigate an allegation or suspicion of child abuse or neglect to obtain and preserve evidence or to determine the identity of a child;

(2) as authorized by K.S.A. 38-1611, and amendments thereto; or

(3) if authorized by a judge of the district court having jurisdiction.

(b) Fingerprints and photographs taken under subsection (a)(3): (1) Shall be kept separate from those of persons of the age of majority; and

(2) may be sent to a state or federal repository only if authorized by a judge of the district court having jurisdiction.

(c) Nothing in this section shall preclude the custodian of the child from authorizing photographs or fingerprints of the child to:

(1) Be used in any action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto;

(2) assist in the apprehension of a runaway child;

(3) assist in the adoption or other permanent placement of a child; or

(4) provide the child or the child's parents with a history of the child's life and development.

(d) For purposes of this section, the term photograph means an image or likeness of a child made or reproduced by any medium or means.

Sec. 64. K.S.A. 2011 Supp. 38-2223 is hereby amended to read as follows: 38-2223. (a) *Persons making reports.* (1) When any of the following persons has reason to

suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsections (b) and (c);

(A) The following persons providing medical care or treatment: Persons licensed to practice the healing arts, dentistry and optometry; persons engaged in postgraduate training programs approved by the state board of healing arts; licensed professional or practical nurses; and chief administrative officers of medical care facilities;

(B) the following persons licensed by the state to provide mental health services: Licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors and registered alcohol and drug abuse counselors;

(C) teachers, school administrators or other employees of an educational institution which the child is attending and persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child; ~~and~~

(D) firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers ~~and~~ community corrections officers, case managers appointed under ~~K.S.A. 23-1001 et seq. K.S.A. 2011 Supp. 23-3508~~, and amendments thereto, and mediators appointed under ~~K.S.A. 23-602 K.S.A. 2011 Supp. 23-3502~~, and amendments thereto; and

(E) any person employed by or who works as a volunteer for any organization, whether for profit or not-for-profit, that provides social services to pregnant teenagers, including, but not limited to, counseling, adoption services and pregnancy education and maintenance.

(2) In addition to the reports required under subsection (a)(1), any person who has reason to suspect that a child may be a child in need of care may report the matter as provided in subsection (b) and (c).

(b) *Form of report.* (1) The report may be made orally and shall be followed by a written report if requested. Every report shall contain, if known: The names and addresses of the child and the child's parents or other persons responsible for the child's care; the location of the child if not at the child's residence; the child's gender, race and age; the reasons why the reporter suspects the child may be a child in need of care; if abuse or neglect or sexual abuse is suspected, the nature and extent of the harm to the child, including any evidence of previous harm; and any other information that the reporter believes might be helpful in establishing the cause of the harm and the identity of the persons responsible for the harm.

(2) When reporting a suspicion that a child may be in need of care, the reporter shall disclose protected health information freely and cooperate fully with the secretary and law enforcement throughout the investigation and any subsequent legal process.

(c) *To whom made.* Reports made pursuant to this section shall be made to the secretary, except as follows:

(1) When the department of social and rehabilitation services is not open for business, reports shall be made to the appropriate law enforcement agency. On the next day that the department is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to K.S.A.

2011 Supp. 38-2226, and amendments thereto. The reports may be made orally or, on request of the secretary, in writing.

(2) Reports of child abuse or neglect occurring in an institution operated by the secretary of social and rehabilitation services or the commissioner of juvenile justice shall be made to the attorney general. All other reports of child abuse or neglect by persons employed by or of children of persons employed by the department of social and rehabilitation services shall be made to the appropriate law enforcement agency.

(d) *Death of child.* Any person who is required by this section to report a suspicion that a child is in need of care and who knows of information relating to the death of a child shall immediately notify the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) *Violations.* (1) Willful and knowing failure to make a report required by this section is a class B misdemeanor. It is not a defense that another mandatory reporter made a report.

(2) Intentionally preventing or interfering with the making of a report required by this section is a class B misdemeanor.

(3) Any person who willfully and knowingly makes a false report pursuant to this section or makes a report that such person knows lacks factual foundation is guilty of a class B misdemeanor.

(f) *Immunity from liability.* Anyone who, without malice, participates in the making of a report to the secretary or a law enforcement agency relating to a suspicion a child may be a child in need of care or who participates in any activity or investigation relating to the report or who participates in any judicial proceeding resulting from the report shall have immunity from any civil liability that might otherwise be incurred or imposed.

Sec. 65. K.S.A. 2011 Supp. 38-2255 is hereby amended to read as follows: 38-2255. (a) *Considerations.* Prior to entering an order of disposition, the court shall give consideration to:

(1) The child's physical, mental and emotional condition;

(2) the child's need for assistance;

(3) the manner in which the parent participated in the abuse, neglect or abandonment of the child;

(4) any relevant information from the intake and assessment process; and

(5) the evidence received at the dispositional hearing.

(b) *Custody with a parent.* The court may place the child in the custody of either of the child's parents subject to terms and conditions which the court prescribes to assure the proper care and protection of the child, including, but not limited to:

(1) Supervision of the child and the parent by a court services officer;

(2) participation by the child and the parent in available programs operated by an appropriate individual or agency; and

(3) any special treatment or care which the child needs for the child's physical, mental or emotional health and safety.

(c) *Removal of a child from custody of a parent.* The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that: (1) (A) The child is likely to sustain harm if not immediately removed from the home;

(B) allowing the child to remain in home is contrary to the welfare of the child; or

(C) immediate placement of the child is in the best interest of the child; and

(2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

The court shall not enter an order removing a child from the custody of a parent pursuant to this section based solely on the finding that the parent is homeless.

(d) *Custody of a child removed from the custody of a parent.* If the court has made the findings required by subsection (c), the court shall enter an order awarding custody to a relative of the child or to a person with whom the child has close emotional ties who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, to any other suitable person, to a shelter facility, to a youth residential facility or, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse, to the secretary. Custody awarded under this subsection shall continue until further order of the court.

(1) When custody is awarded to the secretary, the secretary shall consider any placement recommendation by the court and notify the court of the placement or proposed placement of the child within 10 days of the order awarding custody. After providing the parties or interested parties notice and opportunity to be heard, the court may determine whether the secretary's placement or proposed placement is contrary to the welfare or in the best interests of the child. In making that determination the court shall consider the health and safety needs of the child and the resources available to meet the needs of children in the custody of the secretary. If the court determines that the placement or proposed placement is contrary to the welfare or not in the best interests of the child, the court shall notify the secretary, who shall then make an alternative placement.

(2) The custodian designated under this subsection shall notify the court in writing at least 10 days prior to any planned placement with a parent. The written notice shall state the basis for the custodian's belief that placement with a parent is no longer contrary to the welfare or best interest of the child. Upon reviewing the notice, the court may allow the custodian to proceed with the planned placement or may set the date for a hearing to determine if the child shall be allowed to return home. If the court sets a hearing on the matter, the custodian shall not return the child home without written consent of the court.

(3) The court may grant any person reasonable rights to visit the child upon motion of the person and a finding that the visitation rights would be in the best interests of the child.

(4) The court may enter an order restraining any alleged perpetrator of physical, mental or emotional abuse or sexual abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child, other family member or witness; or attempting to visit, contact, harass or intimidate the child, other family member or witness. Such restraining order shall be served by personal service pursuant to subsection (a) of K.S.A. 2011 Supp. 38-2237, and amendments thereto, on any alleged perpetrator to whom the order is directed.

(5) The court shall provide a copy of any orders entered within 10 days of entering the order to the custodian designated under this subsection.

(e) *Further determinations regarding a child removed from the home.* If custody

has been awarded under subsection (d) to a person other than a parent, a permanency plan shall be provided or prepared pursuant to K.S.A. 2011 Supp. 38-2264, and amendments thereto. If a permanency plan is provided at the dispositional hearing, the court may determine whether reintegration is a viable alternative or, if reintegration is not a viable alternative, whether the child should be placed for adoption or a permanent custodian appointed. In determining whether reintegration is a viable alternative, the court shall consider:

(1) Whether a parent has been found by a court to have committed one of the following crimes or to have violated the law of another state prohibiting such crimes or to have aided and abetted, attempted, conspired or solicited the commission of one of these crimes: (A) Murder in the first degree, K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto; (B) murder in the second degree, K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto; (C) capital murder, K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto; (D) voluntary manslaughter, K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto; or (E) a felony battery that resulted in bodily injury;

(2) whether a parent has subjected the child or another child to aggravated circumstances;

(3) whether a parent has previously been found to be an unfit parent in proceedings under this code or in comparable proceedings under the laws of another state or the federal government;

(4) whether the child has been in extended out of home placement;

(5) whether the parents have failed to work diligently toward reintegration;

(6) whether the secretary has provided the family with services necessary for the safe return of the child to the home; and

(7) whether it is reasonable to expect reintegration to occur within a time frame consistent with the child's developmental needs.

(f) *Proceedings if reintegration is not a viable alternative.* If the court determines that reintegration is not a viable alternative, proceedings to terminate parental rights and permit placement of the child for adoption or appointment of a permanent custodian shall be initiated unless the court finds that compelling reasons have been documented in the case plan why adoption or appointment of a permanent custodian would not be in the best interests of the child. If compelling reasons have not been documented, the county or district attorney shall file a motion within 30 days to terminate parental rights or a motion to appoint a permanent custodian within 30 days and the court shall hold a hearing on the motion within 90 days of its filing. No hearing is required when the parents voluntarily relinquish parental rights or consent to the appointment of a permanent custodian.

(g) *Additional Orders.* In addition to or in lieu of any other order authorized by this section:

(1) The court may order the child and the parents of any child who has been adjudicated a child in need of care to attend counseling sessions as the court directs. The expense of the counseling may be assessed as an expense in the case. No mental health provider shall charge a greater fee for court-ordered counseling than the provider would have charged to the person receiving counseling if the person had requested counseling on the person's own initiative.

(2) If the court has reason to believe that a child is before the court due, in whole or in part, to the use or misuse of alcohol or a violation of K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto, by the child, a parent of the child, or another person responsible for the care of the child, the court may order the child, parent of the child or other person responsible for the care of the child to submit to and complete an alcohol and drug evaluation by a qualified person or agency and comply with any recommendations. If the evaluation is performed by a community-based alcohol and drug safety program certified pursuant to K.S.A. 8-1008, and amendments thereto, the child, parent of the child or other person responsible for the care of the child shall pay a fee not to exceed the fee established by that statute. If the court finds that the child and those legally liable for the child's support are indigent, the fee may be waived. In no event shall the fee be assessed against the secretary.

(3) If child support has been requested and the parent or parents have a duty to support the child, the court may order one or both parents to pay child support and, when custody is awarded to the secretary, the court shall order one or both parents to pay child support. The court shall determine, for each parent separately, whether the parent is already subject to an order to pay support for the child. If the parent is not presently ordered to pay support for any child who is subject to the jurisdiction of the court and the court has personal jurisdiction over the parent, the court shall order the parent to pay child support in an amount determined under K.S.A. 2011 Supp. 38-2277, and amendments thereto. Except for good cause shown, the court shall issue an immediate income withholding order pursuant to ~~K.S.A. 23-4,105 et seq.~~ K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, for each parent ordered to pay support under this subsection, regardless of whether a payor has been identified for the parent. A parent ordered to pay child support under this subsection shall be notified, at the hearing or otherwise, that the child support order may be registered pursuant to K.S.A. 2011 Supp. 38-2279, and amendments thereto. The parent shall also be informed that, after registration, the income withholding order may be served on the parent's employer without further notice to the parent and the child support order may be enforced by any method allowed by law. Failure to provide this notice shall not affect the validity of the child support order.

Sec. 66. K.S.A. 2011 Supp. 38-2264 is hereby amended to read as follows: 38-2264. (a) A permanency hearing is a proceeding conducted by the court or by a citizen review board for the purpose of determining progress toward accomplishment of a permanency plan as established by K.S.A. 2011 Supp. 38-2263, and amendments thereto.

(b) The court or a citizen review board shall hear and the court shall determine whether and, if applicable, when the child will be:

- (1) Reintegrated with the child's parents;
- (2) placed for adoption;
- (3) placed with a permanent custodian; or
- (4) if the secretary has documented compelling reasons why it would not be in the child's best interests for a placement in one of the placements pursuant to paragraphs (1), (2) or (3) placed in another planned permanent arrangement.

(c) The court shall enter a finding as to whether reasonable efforts have been made by appropriate public or private agencies to rehabilitate the family and achieve the permanency goal in place at the time of the hearing.

(d) A permanency hearing shall be held within 12 months of the date the court authorized the child's removal from the home and not less frequently than every 12 months thereafter.

(e) If the court determines at any time other than during a permanency hearing that reintegration may not be a viable alternative for the child, a permanency hearing shall be held no later than 30 days following that determination.

(f) When the court finds that reintegration continues to be a viable alternative, the court shall determine whether and, if applicable, when the child will be returned to the parent. The court may rescind any of its prior dispositional orders and enter any dispositional order authorized by this code or may order that a new plan for the reintegration be prepared and submitted to the court. If reintegration cannot be accomplished as approved by the court, the court shall be informed and shall schedule a hearing pursuant to this section. No such hearing is required when the parents voluntarily relinquish parental rights or consent to appointment of a permanent custodian.

(g) If the court finds reintegration is no longer a viable alternative, the court shall consider whether: (1) The child is in a stable placement with a relative; (2) services set out in the case plan necessary for the safe return of the child have been made available to the parent with whom reintegration is planned; or (3) compelling reasons are documented in the case plan to support a finding that neither adoption nor appointment of a permanent custodian are in the child's best interest. If reintegration is not a viable alternative and either adoption or appointment of a permanent custodian might be in the best interests of the child, the county or district attorney or the county or district attorney's designee shall file a motion to terminate parental rights or a motion to appoint a permanent custodian within 30 days and the court shall set a hearing on such motion within 90 days of the filing of such motion.

(h) If the court enters an order terminating parental rights to a child, or an agency has accepted a relinquishment pursuant to K.S.A. 59-2124, and amendments thereto, the requirements for permanency hearings shall continue until an adoption or appointment of a permanent custodian has been accomplished. If the court determines that reasonable efforts or progress have not been made toward finding an adoptive placement or appointment of a permanent custodian or placement with a fit and willing relative, the court may rescind its prior orders and make others regarding custody and adoption that are appropriate under the circumstances. Reports of a proposed adoptive placement need not contain the identity of the proposed adoptive parents.

(i) If permanency with one parent has been achieved without the termination of the other parent's rights, the court may, prior to dismissing the case, enter child custody orders, including residency and parenting time that the court determines to be in the best interests of the child. The court shall complete a parenting plan pursuant to ~~K.S.A. 60-1625~~ K.S.A. 2011 Supp. 23-3213, and amendments thereto.

(1) Before entering a custody order under this subsection, the court shall inquire whether a custody order has been entered or is pending in a civil custody case by a court of competent jurisdiction within the state of Kansas.

(2) If a civil custody case has been filed or is pending, a certified copy of the custody, residency and parenting time orders shall be filed in the civil custody case. The court in the civil custody case may, after consultation with the court in the child in need of care case, enter an order declaring that the custody order in the child in need of care

case shall become the custody order in the civil custody case.

(3) A district court, on its own motion or upon the motion of any party, may order the consolidation of the child in need of care case with any open civil custody case involving the child and both of the child's parents. Custody, residency and parenting time orders entered in consolidated child in need of care and civil custody cases take precedence over any previous orders affecting both parents and the child that were entered in the civil custody case regarding the same or related issues. Following entry of a custody order in a consolidated case, the court shall dismiss the child in need of care case and, if necessary, return the civil custody case to the original court having jurisdiction over it.

(4) If no civil custody case has been filed, the court may direct the parties to file a civil custody case and to file the custody orders from the child in need of care case in that case. Costs of the civil custody case may be assessed to the parties.

(5) Nothing in this subsection shall operate to expand access to information that is confidential under K.S.A. 38-2209, and amendments thereto, and the confidentiality of such information shall be preserved in all filings in a civil custody case.

(j) When permanency has been achieved to the satisfaction of the court, the court shall enter an order closing the case.

Sec. 67. K.S.A. 2011 Supp. 38-2304 is hereby amended to read as follows: 38-2304. (a) Except as provided in K.S.A. 2011 Supp. 38-2347, and amendments thereto, proceedings concerning a juvenile shall be governed by the provisions of this code.

(b) The district court shall have original jurisdiction to receive and determine proceedings under this code.

(c) When a complaint is filed under this code, the juvenile shall be presumed to be subject to this code, unless the contrary is proved.

(d) Once jurisdiction is acquired by the district court over an alleged juvenile offender, except as otherwise provided in subsection (e), jurisdiction shall continue until one of the following occurs:

- (1) The complaint is dismissed;
- (2) the juvenile is adjudicated not guilty at trial;
- (3) the juvenile, after being adjudicated guilty and sentenced:

(i) Successfully completes the term of probation or order of assignment to community corrections;

(ii) is discharged by the commissioner pursuant to K.S.A. 2011 Supp. 38-2376, and amendments thereto;

(iii) reaches the juvenile's 21st birthday and no exceptions apply that extend jurisdiction beyond age 21;

(4) the court terminates jurisdiction; or

(5) the offender is convicted of a new felony while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony.

(e) Once jurisdiction is acquired by the district court over an alleged juvenile offender, it shall continue beyond the juvenile offender's 21st birthday but no later than the juvenile offender's 23rd birthday if either or both of the following conditions apply:

(1) The juvenile offender is sentenced pursuant to K.S.A. 2011 Supp. 38-2369, and amendments thereto, and the term of the sentence including successful completion of

aftercare extends beyond the juvenile offender's 21st birthday; or

(2) the juvenile offender is sentenced pursuant to an extended jurisdiction juvenile prosecution and continues to successfully serve the sentence imposed pursuant to the revised Kansas juvenile justice code.

(f) Termination of jurisdiction pursuant to this section shall have no effect on the juvenile offender's continuing responsibility to pay restitution ordered.

(g) (1) If a juvenile offender, at the time of sentencing, is in an out of home placement in the custody of the secretary of social and rehabilitation services under the Kansas code for care of children, the sentencing court may order the continued placement of the juvenile offender as a child in need of care unless the offender was adjudicated for a felony or a second or subsequent misdemeanor. If the adjudication was for a felony or a second or subsequent misdemeanor, the continued placement cannot be ordered unless the court finds there are compelling circumstances which, in the best interest of the juvenile offender, require that the placement should be continued. In considering whether compelling circumstances exist, the court shall consider the reports and recommendations of the foster placement, the contract provider, the secretary of social and rehabilitation services, the presentence investigation and all other relevant factors. If the foster placement refuses to continue the juvenile in the foster placement the court shall not order continued placement as a child in need of care.

(2) If a placement with the secretary of social and rehabilitation services is continued after sentencing, the secretary shall not be responsible for any costs of sanctions imposed under this code.

(3) If the juvenile offender is placed in the custody of the juvenile justice authority, the secretary of social and rehabilitation services shall not be responsible for furnishing services ordered in the child in need of care proceeding during the time of the placement pursuant to the revised Kansas juvenile justice code. Nothing in this subsection shall preclude the juvenile offender from accessing other services provided by the department of social and rehabilitation services or any other state agency if the juvenile offender is otherwise eligible for the services.

(h) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a proceeding under ~~article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto (parentage act), a proceeding under article 16 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto (divorce), chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code,~~ a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto ~~(, protection from abuse act), a proceeding under article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto (, adoption and relinquishment act), a proceeding under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto (, guardians and conservators),~~ or a comparable case in another jurisdiction, except as provided by K.S.A. 38-1336 K.S.A. 2011 Supp. 23-37,101 et seq., and amendments thereto ~~(, uniform child custody jurisdiction and enforcement act).~~

Sec. 68. K.S.A. 2011 Supp. 38-2313 is hereby amended to read as follows: 38-2313. (a) Fingerprints or photographs shall not be taken of any juvenile who is taken into custody for any purpose, except that:

(1) Fingerprints or photographs of a juvenile may be taken if authorized by a judge of the district court having jurisdiction;

(2) a juvenile's fingerprints shall be taken, and photographs of a juvenile may be taken, immediately upon taking the juvenile into custody or upon first appearance or in any event before final sentencing, before the court for an offense which, if committed by an adult, would constitute the commission of a felony, a class A or B misdemeanor or assault, as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto;

(3) fingerprints or photographs of a juvenile may be taken under K.S.A. 21-2501, and amendments thereto, if the juvenile has been: (A) Prosecuted as an adult pursuant to K.S.A. 2011 Supp. 38-2347, and amendments thereto; or (B) taken into custody for an offense described in subsection (n)(1) or (n)(2) of K.S.A. 2011 Supp. 38-2302, and amendments thereto;

(4) fingerprints or photographs shall be taken of any juvenile admitted to a juvenile correctional facility; and

(5) photographs may be taken of any juvenile placed in a juvenile detention facility. Photographs taken under this paragraph shall be used solely by the juvenile detention facility for the purposes of identification, security and protection and shall not be disseminated to any other person or agency except after an escape and necessary to assist in apprehension.

(b) Fingerprints and photographs taken under subsection (a)(1) or (a)(2) shall be kept readily distinguishable from those of persons of the age of majority. Fingerprints and photographs taken under subsections (a)(3) and (a)(4) may be kept in the same manner as those of persons of the age of majority.

(c) Fingerprints and photographs of a juvenile shall not be sent to a state or federal repository, except that:

(1) Fingerprints and photographs may be sent to the state and federal repository if authorized by a judge of the district court having jurisdiction;

(2) a juvenile's fingerprints shall, and photographs of a juvenile may, be sent to the state and federal repository if taken under subsection (a)(2) or (a)(4); and

(3) fingerprints or photographs taken under subsection (a)(3) shall be processed and disseminated in the same manner as those of persons of the age of majority.

(d) Fingerprints or photographs of a juvenile may be furnished to another juvenile justice agency, as defined by K.S.A. 2011 Supp. 38-2325, and amendments thereto, if the other agency has a legitimate need for the fingerprints or photographs.

(e) Any fingerprints or photographs of an alleged juvenile offender taken under the provisions of subsection (a)(2) of K.S.A. 38-1611, prior to its repeal, may be sent to a state or federal repository on or before December 31, 2006.

(f) Any law enforcement agency that willfully fails to submit any fingerprints or photographs required by this section shall be liable to the state for the payment of a civil penalty, recoverable in an action brought by the attorney general, in an amount not exceeding \$500 for each report not made. Any civil penalty recovered under this subsection shall be paid into the state general fund.

(g) The director of the Kansas bureau of investigation shall adopt any rules and regulations necessary to implement, administer and enforce the provisions of this section, including time limits within which fingerprints shall be sent to a state or federal repository when required by this section.

(h) Nothing in this section shall preclude the custodian of a juvenile from authorizing photographs or fingerprints of the juvenile to be used in any action under

the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto.

Sec. 69. K.S.A. 2011 Supp. 38-2318 is hereby amended to read as follows: 38-2318. When there is a dispute with respect to parentage, the court may stay child support proceedings, if any are pending in the case, until the dispute is resolved by a separate action under the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto. Nothing in this section shall be construed to limit the power of the court to carry out the purposes of the revised Kansas juvenile justice code.

Sec. 70. K.S.A. 2011 Supp. 38-2362 is hereby amended to read as follows: 38-2362. (a) When sentencing a juvenile offender, the court may order a juvenile offender's parent to participate in counseling, mediation sessions or an alcohol and drug evaluation and treatment program ordered as part of the juvenile offender's sentence under K.S.A. 2011 Supp. 38-2361, and amendments thereto, or to participate in parenting classes.

(1) Upon entering an order requiring a juvenile offender's parent to attend counseling sessions or mediation, the court shall give the parent notice of the order. The notice shall inform the parent of the parent's right to request a hearing within 14 days after entry of the order and the parent's right to employ an attorney to represent the parent at the hearing or, if the parent is financially unable to employ an attorney, the parent's right to request the court to appoint an attorney to represent the parent.

(2) If the parent does not request a hearing within 14 days after entry of the order, the order shall take effect at that time.

(3) If the parent requests a hearing, the court shall set the matter for hearing and, if requested, shall appoint an attorney to represent the parent. The expense and fees of the appointed attorney may be allowed and assessed as provided by K.S.A. 2011 Supp. 38-2306, and amendments thereto.

(b) In addition to any other orders provided for by this section, the parent of a juvenile offender may be held responsible for the costs of sanctions or the support of the juvenile offender as follows:

(1) The board of county commissioners of a county may provide by resolution that the parent of any juvenile offender placed under a house arrest program pursuant to subsection (a)(9) of K.S.A. 2011 Supp. 38-2361, and amendments thereto, shall be required to pay to the county the cost of such house arrest program. The board of county commissioners shall prepare a sliding financial scale based on the ability of the parent to pay for such a program.

(2) If child support has been requested and a parent has a duty to support the juvenile offender, the court may order, and when custody is placed with the commissioner shall order, one or both parents to pay child support. The court shall determine, for each parent separately, whether the parent already is subject to an order to pay support for the juvenile. If the parent currently is not ordered to pay support for the juvenile and the court has personal jurisdiction over the parent, the court shall order the parent to pay child support in an amount determined under K.S.A. 2011 Supp. 38-2319, and amendments thereto. Except for good cause shown, the court shall issue an immediate income withholding order pursuant to ~~K.S.A. 23-4-105~~ K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, for each parent ordered to pay support under this subsection, regardless of whether a payor has been identified for the parent. A parent ordered to pay child support under this subsection shall be notified, at the hearing or otherwise, that the child support order may be registered pursuant to K.S.A. 2011 Supp. 38-2321, and amendments thereto. The parent also shall be informed that, after

registration, the income withholding order may be served on the parent's employer without further notice to the parent and the child support order may be enforced by any method allowed by law. Failure to provide this notice shall not affect the validity of the child support order.

Sec. 71. K.S.A. 2011 Supp. 39-7,135 is hereby amended to read as follows: 39-7,135. (a) The department of social and rehabilitation services, the title IV-D agency for the state, shall maintain a central unit for collection and disbursement of support payments to meet the requirements of title IV-D and this section. Such central unit shall be known as the Kansas payment center. The name "Kansas payment center" shall be reserved for use by the state of Kansas for the functions of the central unit and shall not be used by any entity without the consent of the secretary of social and rehabilitation services.

The department may contract with another entity for development, enhancement or operation, in whole or in part, of such central unit. The Kansas payment center shall be subject to the following conditions and limitations:

(1) The Kansas payment center shall be subject to the Kansas supreme court rule concerning official child support and maintenance records established pursuant to subsection (c).

(2) No contract shall include provisions allowing the contractor to be paid, in whole or in part, on the basis of an amount per phone call received by the center nor allowing the contractor to be paid an amount per check issued for checks that were issued in error by the center. Nothing in this paragraph shall be construed to prevent the secretary of social and rehabilitation services from compensating on the basis of an amount per phone call any contractor that does not process receipts or disbursements under this section.

(3) Any contract for processing receipts or disbursements under this section shall include penalty provisions for noncompliance with federal regulations relating to the timeliness of collections and disbursements and shall include a monetary penalty of \$100 for each erroneous transaction, whether related to collection or disbursement. Penalties shall be collected as and when assessed. Of the penalty, \$25 shall be allocated to the obligee and \$75 shall be allocated to the department of social and rehabilitation services.

(4) Designees of the secretary of social and rehabilitation services and designees of the office of judicial administration shall have full access to all data, subject to the provisions of title IV-D of the federal social security act, 42 U.S.C. § 651 *et seq.* Designees of the secretary of social and rehabilitation services, all district court clerks and court trustees shall have access to records of the Kansas payment center sufficient to allow them to assist in the process of matching support payments to the correct accounts.

(5) The Kansas payment center shall provide sufficient customer service staff during regular business hours. Obligors and obligees shall be provided 24-hour access to information about the status of receipts and disbursements, including, but not limited to, date of receipt by the center, date of processing by the center and date of disbursement to the obligee.

(b) The Kansas payment center shall have, by operation of law, a limited power of attorney to perform the specific act of endorsing and negotiating all drafts, checks, money orders or other negotiable instruments representing support payments received

by the center. Nothing in this subsection shall be construed as affecting the property rights or interests of any person in such negotiable instruments. The provisions of this subsection shall apply to any negotiable instrument received by the center on or after October 1, 2000.

(c) The Kansas supreme court, by court rule, shall establish the procedure for the creation, maintenance and correction of official child support and maintenance records for use as official court records.

(d) The department shall collaborate with the Kansas supreme court to maintain the Kansas payment center, which shall include all support payments subject to the requirements of title IV-D of the federal social security act, 42 U.S.C. § 651 *et seq.*, and, except as specifically directed otherwise by the court pursuant to K.S.A. 2011 Supp. 23-2712, ~~23-2715, 23-2716, and 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ and articles 29, 30 and 31 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, all other support payments due under a court order entered in this state.

(e) Any provision in any support order or income withholding order entered in this state which requires remittance of support payments to the clerk of the district court or district court trustee shall be deemed to require remittance of support payments to the Kansas payment center, regardless of the date the support or income withholding order was entered.

(f) (1) Except as otherwise provided in this subsection, payments received by the Kansas payment center which cannot be matched to any account nor returned to the payor shall be transferred to the state treasurer in accordance with the unclaimed property act.

(2) Except as otherwise provided in this subsection, disbursements which cannot be delivered to the payee after a good faith effort to locate the payee shall be transferred to the state treasurer in accordance with the unclaimed property act.

(3) To the extent that the secretary of social and rehabilitation services would be required to treat as federal program income any amount transferable to the state treasurer pursuant to this subsection or the unclaimed property act, such amount shall not be presumed abandoned but shall be held by the secretary until the amount may be delivered to the true owner. The secretary and the state treasurer shall collaborate on procedures for locating the true owner and confirming claims to amounts so held.

Sec. 72. K.S.A. 39-7,138 is hereby amended to read as follows: 39-7,138. The following definitions shall apply in any IV-D administrative proceeding related to K.S.A. 39-7,137 through 39-7,152, and amendments thereto, except where the context requires otherwise.

(a) "Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account or money-market mutual fund account.

(b) "Arrearages" means past due support under any support order of any tribunal of this or any other state, including but not limited to the unpaid balance of any costs awarded, public assistance debt or accrued interest.

(c) "Business day" means a day on which state offices in Kansas are open for regular business.

(d) "Cash asset" means any intangible property that consistently maintains a fair market value of one dollar per unit. It shall be presumed that any account held by a

financial institution and from which the obligor may make cash withdrawals, with or without penalty, consists entirely of cash assets.

(e) "Current support" includes but is not limited to the duty to provide for a child's ongoing medical needs through cash, insurance coverage or other means. "Current support" does not include any periodic amount specified to defray arrearages.

(f) "Custodial parent" means the parent or other person receiving IV-D services on the child's behalf and may include an agency acting in loco parentis, a guardian, or a blood or adoptive relative with whom the child resides.

(g) "Duty of support" means any duty to support another person that is imposed or imposed by law or by any order, decree or judgment of any tribunal, whether interlocutory or final or whether incidental to a proceeding for divorce, judicial separation, separate maintenance or otherwise, including but not limited to the duty to provide current support, the duty to provide medical support, the duty to pay birth expenses, the duty to pay a public assistance debt and the duty to pay arrearages.

(h) "Financial institution" means any financial institution as defined in 469A of the federal social security act (~~42 U.S.C. § 469A~~), and amendments thereto.

(i) "Holder" means any person who is or may be in possession or control of any cash asset of the responsible parent.

(j) "IV-D" or "title IV-D" means part D of title IV of the federal social security act (~~42 U.S.C. § 651 et seq.~~), and amendments thereto, as in effect on May 1, 1997. "IV-D services" means those services the secretary provides pursuant to title IV-D.

(k) "Party" means the secretary, the responsible parent, the custodial parent or the child or any assignee or other successor in interest to any of them.

(l) "Public assistance debt" means the obligation to reimburse public assistance as described in K.S.A. 39-718b or 39-719, and amendments thereto or in any similar law of this or any other state.

(m) "Responsible parent" means, if a child is receiving or has received IV-D services from the secretary, the mother, father or alleged father of the child.

(n) "Secretary" means the secretary of social and rehabilitation services or a designee of the secretary.

(o) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. The term "state" includes an Indian tribe and includes any jurisdiction declared a foreign reciprocating country by the United States secretary of state and any foreign jurisdiction that has established procedures for issuance and enforcement of child support orders which are substantially similar to the procedures of this state. It shall be presumed that a foreign jurisdiction which is the subject of an unrevoked declaration by the attorney general pursuant to ~~K.S.A. 23-4,101~~ K.S.A. 2011 Supp. 23-3601, and amendments thereto, is a state as defined in this subsection.

(p) "Support order" means any order by which a person's duty of support is established, including but not limited to any order modifying a prior support order.

(q) "Tribunal" means any court, administrative agency or quasi-judicial entity authorized to establish, modify or enforce support orders or to determine parentage. With respect to support orders entered in this state, the courts are the tribunals in Kansas.

Sec. 73. K.S.A. 2011 Supp. 39-7,145 is hereby amended to read as follows: 39-

7,145. (a) This section shall not apply if an action to establish the father's duty of support on behalf of the child is pending before any tribunal. As used in this section, "mother" means the natural mother of the child whose parentage is in issue.

(b) Except as otherwise provided in subsection (d), genetic tests may be ordered by the secretary if the alleged father consents and the necessary persons are available for testing. Except as otherwise provided in subsection (e), the secretary shall pay the costs of genetic tests, subject to recoupment from the father if paternity is established. For purposes of this section, a person receiving title IV-D services is not available for testing if a claim for good cause not to cooperate under title IV-D is pending or has been determined in the person's favor or if the person ceases to receive title IV-D services for any reason.

(c) A copy of the order for genetic tests shall be served upon persons required to comply with the order only by personal service or registered mail, return receipt requested. The order shall specify the time and place the person is required to appear for testing, which shall be at least ten days after the date the order is entered.

(d) If a presumption of paternity arises pursuant to subsection (a) of ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto, because the mother married or attempted to marry any man, the secretary shall not order genetic testing unless a court of this state or an appropriate tribunal in another state has found that determining the child's biological father is in the child's best interests. If a tribunal subsequently determines that the prohibition of this subsection applied at the time genetic tests were ordered by the secretary, any support order based in whole or in part upon the genetic tests may be set aside only as provided in K.S.A. 60-260, and amendments thereto.

(e) Upon receiving the results of genetic testing, the secretary shall promptly send a copy of the results to the parties, together with notice of the time limits for requesting any additional genetic tests or for challenging the results pursuant to ~~K.S.A. 38-1118~~ K.S.A. 2011 Supp. 23-2212, and amendments thereto, how to make such request or challenge, and any associated costs. The notice shall state the consequences pursuant to ~~K.S.A. 38-1118~~ K.S.A. 2011 Supp. 23-2212, and amendments thereto, of failing to act within the time allowed by the statute. Any additional genetic tests shall be at the expense of the person making the request for additional genetic tests. Failure of the person requesting additional tests to make advance payment as required by the secretary shall be deemed withdrawal of the request.

(f) Any person required to comply with an order issued pursuant to this section may request: (1) An administrative hearing pursuant to K.S.A. 75-3306, and amendments thereto, by complying with procedures established by the secretary within ten days after entry of the order; or (2) a *de novo* court review pursuant to K.S.A. 39-7,139, and amendments thereto. If the order is served on the person by mail, the time for requesting review shall be extended by three days. An order issued pursuant to this section shall be subject to defenses that would apply if the order had been issued by a court of this state. If the request for review is made within the time allowed, the effect of the order shall be stayed with respect to the person requesting review pending resolution of the review.

(g) An order issued pursuant to this section whose effect has not been stayed may be enforced pursuant to the civil enforcement provisions of the Kansas judicial review act, K.S.A. 77-601, *et seq.*, and amendments thereto, after the time for compliance with the order has expired.

Sec. 74. K.S.A. 39-7,147 is hereby amended to read as follows: 39-7,147. (a)

Except as otherwise provided in ~~K.S.A. 23-4,107~~ or K.S.A. 39-7,149 or K.S.A. 2011 Supp. 23-3103, and amendments thereto, if no income withholding order is in effect to enforce a support order in a title IV-D case, an income withholding order may be entered by the secretary. A notice of intent to initiate income withholding, as described in ~~K.S.A. 23-4,107~~ K.S.A. 2011 Supp. 23-3103, and amendments thereto, shall be served on the responsible parent at least seven days before the secretary issues the income withholding order. If the amount of arrearages is less than the amount of current support due for one month, the requirements of subsection (d) must be met. The income withholding order shall conform to the requirements of the income withholding act and amendments thereto and shall have the same force and effect as an income withholding order issued by a district court of this state.

(b) If an income withholding order is issued by the secretary to enforce a support order entered by a court of this state, the original document shall be delivered for filing to the clerk of the court that entered the support order. Thereafter, if the secretary is no longer providing title IV-D services in the case, the clerk of the district court shall use the income withholding order issued by the secretary in the same manner as an income withholding order issued by the court.

(c) If an income withholding order is issued by the secretary to enforce a support order entered by a tribunal of another state, the secretary shall transmit a copy of the income withholding order to the tribunal of the other state.

(d) If there are no arrearages or the amount of arrearages under the support order is less than the amount of current support due for one month, the secretary may initiate income withholding only if:

- (1) Any arrearages are owed;
- (2) a medical child support order exists;
- (3) the secretary determines that immediate issuance of the income withholding order was required by ~~K.S.A. 23-4,107~~ K.S.A. 2011 Supp. 23-3103, and amendments thereto, or by a similar law of another state, but no income withholding order was entered;

- (4) the responsible parent consents;
- (5) required payments have been received after the due date at least twice within the preceding 12 months, regardless of whether any arrearages are owed; or
- (6) the support order was entered by a tribunal of another state.

(e) If the support order was entered by or registered with a court of this state, the notice of intent to initiate income withholding shall be served on the responsible parent by only personal service or registered mail, return receipt requested. In all other cases, the notice of intent to initiate income withholding shall be served upon the responsible parent only by personal service or registered mail, return receipt requested.

Sec. 75. K.S.A. 44-514 is hereby amended to read as follows: 44-514. (a) Except as provided in subsection (b), ~~K.S.A. 23-4,146~~ or and the income withholding act, K.S.A. 2011 Supp. 23-3101 et seq., and amendments thereto, no claim for compensation, or compensation agreed upon, awarded, adjudged, or paid, shall be assignable or subject to levy, execution, attachment, garnishment, or any other remedy or procedure for the recovery or collection of a debt, and this exemption cannot be waived.

(b) Claims for compensation, and compensation agreed upon, adjudged or paid, which are paid to a worker on a weekly basis or by lump sum shall be subject to enforcement of an order for support by means of voluntary or involuntary assignment

of a portion of the compensation.

(1) Any involuntary assignment shall be obtained by motion filed within the case which is the basis of the existing order of support.

(A) Any motion seeking an involuntary assignment of compensation shall be served on the claimant and the claimant's counsel to the workers compensation claim, if known, the motion shall set forth:

- (i) The amount of the current support order to be enforced;
- (ii) the amount of any arrearage alleged to be owed under the support order;
- (iii) the identity of the payer of the compensation to the claimant, if known; and
- (iv) whether the assignment requested seeks to attach compensation for current support or arrearages or both.

(B) Motions for involuntary assignments of compensation shall be granted. The relief granted for:

(i) Current support shall be collectible from benefits paid on a weekly basis but shall not exceed 25% of the workers gross weekly compensation excluding any medical compensation and rehabilitation costs paid directly to providers.

(ii) Past due support shall be collectible from lump-sum settlements, judgments or awards but shall not exceed 40% of a lump sum, excluding any medical compensation and rehabilitation costs paid directly to providers.

(2) In any proceeding under this subsection, the court may also consider the modification of the existing support order upon proper notice to the other interested parties.

(3) Any order of involuntary assignment of compensation shall be served upon the payer of compensation and shall set forth the:

- (A) Amount of the current support order;
- (B) amount of the arrearage owed, if any;
- (C) applicable percentage limitations;
- (D) name and address of the payee to whom assigned sums shall be disbursed by the payer; and
- (E) date the assignment is to take effect and the conditions for termination of the assignment.

(4) For the purposes of this section, "order for support" means any order of any Kansas court, authorized by law to issue such an order, which provides for the payment of funds for the support of a child or for maintenance of a spouse or ex-spouse, and includes such an order which provides for payment of an arrearage accrued under a previously existing order and reimbursement orders, including but not limited to, an order established pursuant to K.S.A. 39-718a ~~and amendments thereto, prior to its repeal~~; K.S.A. 39-718b, and amendments thereto; or an order established pursuant to the uniform interstate family support act, K.S.A. 2011 Supp. 23-36,101 et seq., and amendments thereto.

(5) For all purposes under this section, each obligation to pay child support or order for child support shall be satisfied prior to satisfaction of any obligation to pay or order for maintenance of a spouse or ex-spouse.

Sec. 76. K.S.A. 2011 Supp. 59-2136 is hereby amended to read as follows: 59-2136. (a) The provisions of this section shall apply where a relinquishment or consent to an adoption has not been obtained from a parent and K.S.A. 59-2124 and 59-2129, and amendments thereto, state that the necessity of a parent's relinquishment or consent can

be determined under this section.

(b) Insofar as practicable, the provisions of this section applicable to the father also shall apply to the mother and those applicable to the mother also shall apply to the father.

(c) In stepparent adoptions under subsection (d), the court may appoint an attorney to represent any father who is unknown or whose whereabouts are unknown. In all other cases, the court shall appoint an attorney to represent any father who is unknown or whose whereabouts are unknown. If no person is identified as the father or a possible father, the court shall order publication notice of the hearing in such manner as the court deems appropriate.

(d) In a stepparent adoption, if a mother consents to the adoption of a child who has a presumed father under subsection (a)(1), (2) or (3) of ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto, or who has a father as to whom the child is a legitimate child under prior law of this state or under the law of another jurisdiction, the consent of such father must be given to the adoption unless such father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption or is incapable of giving such consent. In determining whether a father's consent is required under this subsection, the court may disregard incidental visitations, contacts, communications or contributions. In determining whether the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption, there shall be a rebuttable presumption that if the father, after having knowledge of the child's birth, has knowingly failed to provide a substantial portion of the child support as required by judicial decree, when financially able to do so, for a period of two years next preceding the filing of the petition for adoption, then such father has failed or refused to assume the duties of a parent. The court may consider the best interests of the child and the fitness of the nonconsenting parent in determining whether a stepparent adoption should be granted.

(e) Except as provided in subsection (d), if a mother desires to relinquish or consents to the adoption of such mother's child, a petition shall be filed in the district court to terminate the parental rights of the father, unless the father's relationship to the child has been previously terminated or determined not to exist by a court. The petition may be filed by the mother, the petitioner for adoption, the person or agency having custody of the child or the agency to which the child has been or is to be relinquished. Where appropriate, the request to terminate parental rights may be contained in a petition for adoption. If the request to terminate parental rights is not filed in connection with an adoption proceeding, venue shall be in the county in which the child, the mother or the presumed or alleged father resides or is found. In an effort to identify the father, the court shall determine by deposition, affidavit or hearing, the following:

(1) Whether there is a presumed father under ~~K.S.A. 38-1114~~ K.S.A. 2011 Supp. 23-2208, and amendments thereto;

(2) whether there is a father whose relationship to the child has been determined by a court;

(3) whether there is a father as to whom the child is a legitimate child under prior law of this state or under the law of another jurisdiction;

(4) whether the mother was cohabitating with a man at the time of conception or birth of the child;

(5) whether the mother has received support payments or promises of support with respect to the child or in connection with such mother's pregnancy; and

(6) whether any man has formally or informally acknowledged or declared such man's possible paternity of the child.

If the father is identified to the satisfaction of the court, or if more than one man is identified as a possible father, each shall be given notice of the proceeding in accordance with subsection (f).

(f) Notice of the proceeding shall be given to every person identified as the father or a possible father by personal service, certified mail return receipt requested or in any other manner the court may direct. Proof of notice shall be filed with the court before the petition or request is heard.

(g) If, after the inquiry, the court is unable to identify the father or any possible father and no person has appeared claiming to be the father and claiming custodial rights, the court shall enter an order terminating the unknown father's parental rights with reference to the child without regard to subsection (h). If any person identified as the father or possible father of the child fails to appear or, if appearing, fails to claim custodial rights, such person's parental rights with reference to the child shall be terminated without regard to subsection (h).

(h) (1) When a father or alleged father appears and asserts parental rights, the court shall determine parentage, if necessary pursuant to the Kansas parentage act, K.S.A. 2011 Supp. 23-2201 et seq., and amendments thereto. If a father desires but is financially unable to employ an attorney, the court shall appoint an attorney for the father. Thereafter, the court may order that parental rights be terminated, upon a finding by clear and convincing evidence, of any of the following:

(A) The father abandoned or neglected the child after having knowledge of the child's birth;

(B) the father is unfit as a parent or incapable of giving consent;

(C) the father has made no reasonable efforts to support or communicate with the child after having knowledge of the child's birth;

(D) the father, after having knowledge of the pregnancy, failed without reasonable cause to provide support for the mother during the six months prior to the child's birth;

(E) the father abandoned the mother after having knowledge of the pregnancy;

(F) the birth of the child was the result of rape of the mother; or

(G) the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition.

(2) In making a finding whether parental rights shall be terminated under this subsection, the court may:

(A) Consider and weigh the best interest of the child; and

(B) disregard incidental visitations, contacts, communications or contributions.

(3) In determining whether the father has failed or refused to assume the duties of a parent for two consecutive years next preceding the filing of the petition for adoption, there shall be a rebuttable presumption that if the father, after having knowledge of the child's birth, has knowingly failed to provide a substantial portion of the child support as required by judicial decree, when financially able to do so, for a period of two years next preceding the filing of the petition for adoption, then such father has failed or refused to assume the duties of a parent.

(i) A termination of parental rights under this section shall not terminate the right of

the child to inherit from or through the parent. Upon such termination, all the rights of birth parents to such child, including their right to inherit from or through such child, shall cease.

Sec. 77. K.S.A. 2011 Supp. 60-308 is hereby amended to read as follows: 60-308.

(a) *Proof and effect.* (1) Service of process may be made on any party outside this state. If on a party domiciled in this state or on a party that has submitted to the jurisdiction of the courts of this state, such service provides personal jurisdiction over that party; otherwise it provides in rem jurisdiction over specifically identified property that party has in this state.

(2) The service of process must be made: (A) In the same manner as service within this state, by an officer authorized to serve process in this state or in the state where the party is served; or (B) by a party or the party's attorney pursuant to subsection (c) of K.S.A. 60-303, and amendments thereto. No order of a court is required. The server must file an affidavit or a declaration pursuant to K.S.A. 53-601, and amendments thereto, or any other competent proof, stating the time, manner and place of service. The court may consider the affidavit, declaration or any other competent proof in determining whether service has been properly made.

(3) No default may be entered until the expiration of at least 30 days after service. A default judgment rendered on service outside this state may be set aside only on a showing that is timely and sufficient under subsection (b) of K.S.A. 60-260, and amendments thereto, to set aside a default judgment.

(b) *Submitting to jurisdiction.* (1) Any person, whether or not a citizen or resident of this state, who in person or through an agent or instrumentality does any of the following acts, thereby submits the person and, if an individual, the individual's representative, to the jurisdiction of the courts of this state for any claim for relief arising from the act:

(A) Transacting any business in this state;
 (B) committing a tortious act in this state;
 (C) owning, using or possessing real estate located in this state;
 (D) contracting to insure any person, property or risk located in this state at the time of contracting;

(E) entering into an express or implied contract, by mail or otherwise, with a resident of this state to be performed in whole or in part by either party in this state;

(F) acting in this state as director, manager, trustee or other officer of any corporation organized under the laws of or having a place of business in this state or as executor or administrator of any estate in this state;

(G) causing to persons or property in this state an injury arising out of an act or omission outside this state by the defendant if, at the time of the injury, either:

(i) The defendant was engaged in solicitation or service activities in this state; or
 (ii) products, materials or things processed, serviced or manufactured by the defendant anywhere were used or consumed in this state in the ordinary course of trade or use;

(H) living in a marital relationship in this state notwithstanding subsequent departure from this state, for all obligations arising for maintenance, child support or property settlement under ~~article 16 of this chapter~~ the Kansas family law code, chapter 23 of the Kansas Statutes Annotated, and amendments thereto, if the other party to the marital relationship continues to reside in this state;

(I) serving as insurer of a person at the time of an act by the person which is the subject of an action in a court of competent jurisdiction in this state which results in judgment being taken against the person;

(J) having sexual intercourse in this state, in an action seeking to adjudge the person to be a parent of a child and in an action to require the person to provide support for a child as provided by law, if: (i) The conception of the child results from the act; and (ii) the other party to the act or the child continues to reside in this state;

(K) entering into an express or implied arrangement, whether by contract, tariff or otherwise, with a corporation or partnership residing or doing business in this state under which the corporation or partnership has supplied transportation services or communication service or equipment, including telephonic communication services, for a business or commercial user when the services supplied to the user are managed, operated or monitored in this state, provided that the person is given reasonable notice that arranging or continuing the transportation services or communication services may result in jurisdiction under this section; or

(L) having contact with this state which would support jurisdiction consistent with the constitutions of the United States and of this state.

(2) A person submits to the jurisdiction of the courts of this state for a claim for relief which did not arise in this state if substantial, continuous and systematic contact with this state is established which would support jurisdiction consistent with the constitutions of the United States and of this state.

(c) *Section not exclusive.* Nothing in this section affects the right to serve process in any other manner provided by law.

Sec. 78. K.S.A. 2011 Supp. 60-703 is hereby amended to read as follows: 60-703. The order of attachment shall be issued by a judge of the district court upon the filing of a petition stating the claim and the filing of an affidavit, or an affidavit and bond as required in this article, except that no order of attachment shall be issued before judgment on plaintiff's claim where the property of the defendant to be attached is in the possession of a third party and is in the form of earnings due and owing to the defendant. The filing of an affidavit stating one or more grounds of attachment is required in every case. A bond is required in every case except in actions instituted on behalf of the state of Kansas or a county of the state. The order of attachment may be issued and executed on Sunday, a legal holiday, or a day on which the office of the clerk of the court is not accessible if the affidavit states that the party seeking the attachment will lose the benefit thereof unless the writ be issued or served on such day. The provisions of this section shall not be applicable to garnishments authorized pursuant to K.S.A. ~~60-1607~~ 2011 Supp. 23-2707, and amendments thereto.

Sec. 79. K.S.A. 60-2308 is hereby amended to read as follows: 60-2308. (a) Money received by any debtor as pensioner of the United States within three months next preceding the issuing of an execution, or attachment, or garnishment process, cannot be applied to the payment of the debts of such pensioner when it appears by the affidavit of the debtor or otherwise that such pension money is necessary for the maintenance of the debtor's support or a family support wholly or in part by the pension money. The filing of the affidavit by the debtor, or making proof as provided in this section, shall be *prima facie* evidence of the necessity of such pension money for such support. It shall be the duty of the court in which such proceeding is pending to release all moneys held by such attachment or garnishment process, immediately upon the filing of such

affidavit, or the making of such proof.

(b) Except as provided in subsection (c), any money or other assets payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified under sections 401(a), 403(a), 403(b), 408, 408A or 409 of the federal internal revenue code of 1986, and amendments thereto, shall be exempt from any and all claims of creditors of the beneficiary or participant. Any such plan shall be conclusively presumed to be a spendthrift trust under these statutes and the common law of the state.

(c) Any plan or arrangement described in subsection (b) shall not be exempt from the claims of an alternate payee under a qualified domestic relations order. However, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state department of social and rehabilitation services, of the alternate payee. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" have the meaning ascribed to them in section 414(p) of the federal internal revenue code of 1986, and amendments thereto.

(d) The provisions of subsections (b) and (c) shall apply to any proceeding which: (1) Is filed on or after July 1, 1986; or (2) was filed on or after January 1, 1986, and is pending or on appeal July 1, 1986.

(e) Money held by the central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto, the state department of social and rehabilitation services, any clerk of a district court or any district court trustee in connection with a court order for the support of any person, whether the money is identified as child support, spousal support, alimony or maintenance, shall be exempt from execution, attachment or garnishment process.

(f) (1) The provisions of this subsection shall apply to any proceeding which:

(A) Is filed on or after January 1, 2002; or

(B) was filed prior to January 1, 2002, and is pending on or on appeal after January 1, 2002.

(2) Except as provided by paragraphs (3) and (4) of this subsection, if the designated beneficiary of a family postsecondary education savings account established pursuant to ~~K.S.A. 2005 2011~~ Supp. 75-640 *et seq.*, and amendments thereto, is a lineal descendant of the account owner, all moneys in the account shall be exempt from any claims of creditors of the account owner or designated beneficiary.

(3) The provisions of paragraph (2) of this subsection shall not apply to:

(A) Claims of any creditor of an account owner, as to amounts contributed within a one-year period preceding the date of the filing of a bankruptcy petition under 11 U.S.C. ~~section §~~ 101 *et seq.*; or

(B) claims of any creditor of an account owner, as to amounts contributed within a one-year period preceding an execution on judgment for such claims against the account owner.

(4) The provisions of paragraph (2) of this subsection shall not apply to:

(A) Claims of any creditor of an account owner, as to amounts exceeding \$5,000 contributed within a period of time which is more than one year but less than two years preceding the date of the filing of a bankruptcy petition under 11 U.S.C. ~~section §~~ 101 *et seq.*; or

(B) claims of any creditor of an account owner, as to amounts exceeding \$5,000 contributed within a period of time which is more than one year but less than two years preceding an execution on judgment for such claims against the account owner.

Sec. 80. K.S.A. 2011 Supp. 60-2403 is hereby amended to read as follows: 60-2403. (a) (1) Except as provided in subsection (b) or (d), if a renewal affidavit is not filed or if execution, including any garnishment proceeding, support enforcement proceeding or proceeding in aid of execution, is not issued, within five years from the date of the entry of any judgment in any court of record in this state, including judgments in favor of the state or any municipality in the state, or within five years from the date of any order reviving the judgment or, if five years have intervened between the date of the last renewal affidavit filed or execution proceedings undertaken on the judgment and the time of filing another renewal affidavit or undertaking execution proceedings on it, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. When a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

(2) A "renewal affidavit" is a statement under oath, signed by the judgment creditor or the judgment creditor's attorney, filed in the proceedings in which the judgment was entered and stating the remaining balance due and unpaid on the judgment.

(3) A "support enforcement proceeding" means any civil proceeding to enforce any judgment for payment of child support or maintenance and includes, but is not limited to, any income withholding proceeding under the income withholding act, ~~K.S.A. 23-4,105 through 23-4,118~~ K.S.A. 2011 Supp. 23-3101 *et seq.*, and amendments thereto, ~~or the interstate income withholding act, K.S.A. 23-4,125 through 23-4,137 and amendments thereto,~~ any contempt proceeding and any civil proceeding under the uniform interstate family support act, ~~K.S.A. 23-9,101~~ K.S.A. 2011 Supp. 23-36,101 *et seq.*, and amendments thereto.

(b) Except for those judgments which have become void as of July 1, 2007, no judgment for the support of a child shall be or become dormant for any purpose except as provided in this subsection. If a judgment would have become dormant under the conditions set forth in subsection (a), the judgment shall cease to operate as a lien on the real estate of the judgment debtor as of the date the judgment would have become dormant, but the judgment shall not be released of record pursuant to subsection (a).

(c) The time within which action must be taken to prevent a judgment from becoming dormant does not run during any period in which the enforcement of the judgment by legal process is stayed or prohibited.

(d) If a renewal affidavit is not filed or if execution is not issued, within 10 years from the date of the entry of any judgment of restitution in any court of record in this state, the judgment, including court costs and fees therein shall become dormant, and shall cease to operate as a lien on the real estate of the judgment debtor. Except as provided in subsection (b), when a judgment becomes and remains dormant for a period of two years, it shall be the duty of the judge to release the judgment of record when requested to do so.

Sec. 81. K.S.A. 2011 Supp. 60-2803 is hereby amended to read as follows: 60-2803. (a) When a money judgment rendered in a civil action in a court of this state is satisfied, the judgment creditor or the assignee of the judgment creditor shall file satisfaction and release of the judgment within 21 days after receipt of written demand

therefor, sent by restricted mail as defined by K.S.A. 60-103, and amendments thereto. Such satisfaction and release shall be filed with the clerk of the court in which the judgment was entered and with the clerk of any other court in which the judgment was filed.

(b) If a judgment creditor or the assignee of a judgment creditor refuses or neglects to enter satisfaction and release of a judgment when required by this section, such judgment creditor or assignee shall be liable to the judgment debtor, or other interested person demanding the satisfaction or release, in damages in the amount of \$100, together with a reasonable attorney's fee for preparing and prosecuting the action to recover such damages.

(c) The provisions of this section shall not apply if the judgment is satisfied by payment through the office of the clerk of the district court, the district court trustee or any central unit for collection and disbursement of support payments designated pursuant to ~~K.S.A. 23-4,118~~ K.S.A. 2011 Supp. 39-7,135, and amendments thereto.

Sec. 82. K.S.A. 60-3103 is hereby amended to read as follows: 60-3103. Any district court shall have jurisdiction over all proceedings under the protection from abuse act. The right of a person to obtain relief under the protection from abuse act shall not be affected by the person's leaving the residence or household to avoid further abuse. Any petition under this act seeking orders regarding a custody determination, as defined in ~~K.S.A. 38-1337~~ K.S.A. 2011 Supp. 23-37,102, and amendments thereto, shall state that information required by ~~K.S.A. 38-1356~~ K.S.A. 2011 Supp. 23-37,209, and amendments thereto, and the basis under which child-custody jurisdiction is sought to be invoked.

Sec. 83. K.S.A. 2011 Supp. 60-3107 is hereby amended to read as follows: 60-3107. (a) The court may approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children or grant any of the following orders:

(1) Restraining the defendant from abusing, molesting or interfering with the privacy or rights of the plaintiff or of any minor children of the parties. Such order shall contain a statement that if such order is violated, such violation may constitute assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, battery as defined in subsection (a) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, domestic battery as defined in K.S.A. 2011 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto.

(2) Granting possession of the residence or household to the plaintiff to the exclusion of the defendant, and further restraining the defendant from entering or remaining upon or in such residence or household, subject to the limitation of subsection (d). Such order shall contain a statement that if such order is violated, such violation shall constitute criminal trespass as defined in subsection (a)(1)(C) of K.S.A. 2011 Supp. 21-5808, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto. The court may grant an order, which shall expire 60 days following the date of issuance, restraining the defendant from cancelling utility service to the residence or household.

(3) Requiring defendant to provide suitable, alternate housing for the plaintiff and any minor children of the parties.

(4) Awarding temporary custody and residency and establishing temporary parenting time with regard to minor children.

(5) Ordering a law enforcement officer to evict the defendant from the residence or household.

(6) Ordering support payments by a party for the support of a party's minor child, if the party is the father or mother of the child, or the plaintiff, if the plaintiff is married to the defendant. Such support orders shall remain in effect until modified or dismissed by the court or until expiration and shall be for a fixed period of time not to exceed one year. On the motion of the plaintiff, the court may extend the effect of such order for 12 months.

(7) Awarding costs and attorney fees to either party.

(8) Making provision for the possession of personal property of the parties and ordering a law enforcement officer to assist in securing possession of that property, if necessary.

(9) Requiring any person against whom an order is issued to seek counseling to aid in the cessation of abuse.

(10) Ordering or restraining any other acts deemed necessary to promote the safety of the plaintiff or of any minor children of the parties.

(b) No protection from abuse order shall be entered against the plaintiff unless:

(1) The defendant properly files a written cross or counter petition seeking such a protection order;

(2) the plaintiff had reasonable notice of the written cross or counter petition by personal service as provided in subsection (d) of K.S.A. 60-3104, and amendments thereto; and

(3) the issuing court made specific findings of abuse against both the plaintiff and the defendant and determined that both parties acted primarily as aggressors and neither party acted primarily in self-defense.

(c) Any order entered under the protection from abuse act shall not be subject to modification on *ex parte* application or on motion for temporary orders in any action filed pursuant to K.S.A. 60-1601 *et seq.*, prior to such section's repeal or transfer, or K.S.A. 38-1101 *et seq.*, and amendments thereto, or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto. Orders previously issued in an action filed pursuant to K.S.A. 60-1601 *et seq.*, prior to such section's repeal or transfer, or K.S.A. 38-1101 *et seq.*, and amendments thereto, or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, shall be subject to modification under the protection from abuse act only as to those matters subject to modification by the terms of K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and 23-3218~~ and article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and on sworn testimony to support a showing of good cause. Immediate and present danger of abuse to the plaintiff or minor children shall constitute good cause. If an action is filed pursuant to K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207, 23-3216 and or 23-3218~~ or articles 22 or 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, during the pendency of a proceeding filed under the protection from abuse act or while an order issued under the protection from abuse act is in effect, the court, on final hearing or on agreement of the parties, may issue final orders authorized by K.S.A. 2011 Supp. ~~23-2712, 23-2715, 23-2716, 23-2802, 23-2902 through 23-2605, 23-3001 through 23-3006, 23-3201 through 23-3207,~~

23-3216 and 23-3218 and articles 22 and 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, that are inconsistent with orders entered under the protection from abuse act. Any inconsistent order entered pursuant to this subsection shall be specific in its terms, reference the protection from abuse order and parts thereof being modified and a copy thereof shall be filed in both actions. The court shall consider whether the actions should be consolidated in accordance with K.S.A. 60-242, and amendments thereto. Any custody or parenting time order, or order relating to the best interests of a child, issued pursuant to the revised Kansas code for care of children or the revised Kansas juvenile justice code, shall be binding and shall take precedence over any such custody or parenting order involving the same child issued under the protection from abuse act, until jurisdiction under the revised Kansas code for care of children or the revised Kansas juvenile justice code is terminated. Any inconsistent custody or parenting order issued in the revised Kansas code for care of children case or the revised Kansas juvenile justice code case shall be specific in its terms, reference any preexisting protection from abuse order and the custody being modified, and a copy of such order shall be filed in the preexisting protection from abuse case.

(d) If the parties to an action under the protection from abuse act are not married to each other and one party owns the residence or household, the court shall not have the authority to grant possession of the residence or household under subsection (a)(2) to the exclusion of the party who owns it.

(e) Subject to the provisions of subsections (b), (c) and (d), a protective order or approved consent agreement shall remain in effect until modified or dismissed by the court and shall be for a fixed period of time not to exceed one year, except that, on motion of the plaintiff, such period may be extended for one additional year.

(f) The court may amend its order or agreement at any time upon motion filed by either party.

(g) No order or agreement under the protection from abuse act shall in any manner affect title to any real property.

(h) If a person enters or remains on premises or property violating an order issued pursuant to subsection (a)(2), such violation shall constitute criminal trespass as defined in subsection (a)(1)(C) of K.S.A. 2011 Supp. 21-5808, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto. If a person abuses, molests or interferes with the privacy or rights of another violating an order issued pursuant to subsection (a)(1), such violation may constitute assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, battery as defined in subsection (a) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, domestic battery as defined in K.S.A. 2011 Supp. 21-5414, and amendments thereto, and violation of a protective order as defined in K.S.A. 2011 Supp. 21-5924, and amendments thereto.

Sec. 84. K.S.A. 65-2409a is hereby amended to read as follows: 65-2409a. (a) A certificate of birth for each live birth which occurs in this state shall be filed with the state registrar within five days after such birth and shall be registered by such registrar if such certificate has been completed and filed in accordance with this section. If a birth occurs on a moving conveyance, a birth certificate shall indicate as the place of birth the location where the child was first removed from the conveyance.

(b) When a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall obtain the personal data, prepare the

certificate, secure the signatures required by the certificate and file such certificate with the state registrar. The physician in attendance or, in the absence of the physician, the person in charge of the institution or that person's designated representative shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth. When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority: (1) The physician in attendance at or immediately after the birth, or in the absence of such a person; (2) any other person in attendance at or immediately after the birth, or in the absence of such a person; or (3) the father, the mother or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

(c) If the mother was married at the time of either conception or birth, or at any time between conception and birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered. If the mother was not married either at the time of conception or of birth, or at any time between conception and birth, the name of the father shall not be entered on the certificate of birth without the written consent of the mother and of the person to be named as the father on a form provided by the state registrar pursuant to ~~K.S.A. 38-1138~~, K.S.A. 2011 Supp. 23-2204, and amendments thereto, unless a determination of paternity has been made by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered.

(d) One of the parents of any child shall sign the certificate of live birth to attest to the accuracy of the personal data entered thereon, in time to permit its filing within the five days prescribed above.

(e) Except as otherwise provided by this subsection, a fee of \$4 shall be paid for each certificate of live birth filed with the state registrar. Such fee shall be paid by the parent or parents of the child. If a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall be responsible for collecting the fee and shall remit such fee to the secretary of health and environment not later than the 15th day following the end of the calendar quarter during which the birth occurred. If a birth occurs other than in an institution, the person completing the birth certificate shall be responsible for collecting the fee and shall remit such fee to the secretary of health and environment not later than the 15th day of the month following the birth.

The fee provided for by this subsection shall not be required to be paid if the parent or parents of the child are at the time of the birth receiving assistance, as defined by K.S.A. 39-702, and amendments thereto, from the secretary of social and rehabilitation services.

(f) Except as provided in this subsection, when a certificate of birth is filed pursuant to this act, each parent shall furnish the social security number or numbers issued to the parent. Social security numbers furnished pursuant to this subsection shall not be recorded on the birth certificate. A parent shall not be required to furnish such person's social security number pursuant to this subsection if no social security number has been issued to the parent; the social security number is unknown; or the secretary determines that good cause, as defined in federal regulations promulgated pursuant to title IV-D of the federal social security act, exists for not requiring the social security

number. Nothing in this subsection shall delay the filing or issuance of the birth certificate.

Sec. 85. K.S.A. 2011 Supp. 74-147 is hereby amended to read as follows: 74-147.

(a) Any notice to a licensing body served pursuant to K.S.A. 20-1204a, and amendments thereto, shall have attached a copy of the court order finding the licensee in contempt of court in a child support proceeding. Any notice to a licensing body served pursuant to ~~K.S.A. 60-1622~~ K.S.A. 2011 Supp. 23-3119, and amendments thereto, shall have attached a copy of the warrant or subpoena outstanding against the licensee. Any notice to a licensing body served pursuant to K.S.A. 2011 Supp. ~~60-1622a 23-3120~~, and amendments thereto, shall have attached a copy of the court order stating the findings of fact required by K.S.A. 2011 Supp. ~~60-1622a 23-3120~~, and amendments thereto. The notice shall advise the licensing body of the duty to comply with K.S.A. 74-146 and 74-147, and amendments thereto; shall provide the name of the licensee and information which will assist the licensing body to identify the correct person; and shall provide the name, mailing address and telephone number of the person serving the notice. If inadequate identifying information is included in the notice, the licensing body shall promptly contact the person serving the notice to request additional information.

(b) If a licensing body receives a notice pursuant to subsection (a), the licensing body shall, within 30 days after receiving the notice, notify the licensee of the licensing body's intent to suspend or to withhold issuance or renewal of the licensee's authorization to practice a profession in this state and of the licensee's rights and duties under this section. If the licensing body does not receive sufficient information with the notice to identify the correct licensee, the 30 days shall commence when sufficient identifying information is received.

(c) If the licensing body receives a notice pursuant to subsection (a), the licensing body shall provide the licensee a temporary license, authorizing the individual to practice a profession in this state, if the licensee is otherwise eligible. The temporary license shall be valid for a period of six months from the date the notice to the licensee pursuant to subsection (b) was issued. A temporary license issued under this section shall not be extended, except that the licensing body may extend the temporary license up to 30 days to prevent extreme hardship for a person being served by the licensee. If the licensee does not furnish a release pursuant to subsection (c) within the time required by the licensing body, the licensing body shall proceed to suspend, terminate, deny or refuse to renew the licensee's authority to practice a profession in this state.

(d) If an authorization to practice a profession in this state is suspended, denied or not renewed pursuant to this section, any funds paid by the licensee shall not be refunded by the licensing body.

(e) If a temporary license has been issued pursuant to subsection (c), the licensee shall obtain a release from the court that authorized the notice to the licensing body, as a condition for the issuance or renewal of the licensee's authorization to practice a profession in this state. The licensing body may require the licensee to furnish the release before the temporary license expires.

(f) In any review of the licensing body's actions pursuant to K.S.A. 74-146 and 74-147, and amendments thereto, conducted by the licensing body at the request of the licensee, the issues shall be limited to the identity of the licensee and the validity of notices pursuant to this section. The licensing body shall have no jurisdiction over

issues related to the support obligation of the licensee.

(g) The licensing body shall immediately terminate any proceedings, concerning a court order for support of a child, against a licensee upon presentation by the licensee of a notice of compliance from the court that authorized the initial notice as provided in subsection (a). The court shall issue a notice of compliance to the licensee if the licensee has contacted the court and is attempting to comply with a payment plan. If the licensee's license has been suspended or not renewed, and the licensee has provided the notice of compliance from the court and otherwise qualifies for the license, the licensing body shall reinstate the license or issue the renewal license to the licensee.

Sec. 86. K.S.A. 2011 Supp. 74-4923 is hereby amended to read as follows: 74-4923. (a) No alteration, amendment or repeal of this act shall affect the then existing rights of members and beneficiaries but shall be effective only as to rights which would otherwise accrue under this act as a result of services rendered by an employee after the alteration, amendment or repeal. This subsection shall not apply to any alteration or amendment of this act which provides greater benefits to members or beneficiaries, but any increase of benefits shall only be applicable to benefits payable on the first day of the month coinciding with or following the effective date of the alteration or amendment.

(b) Any annuity, benefits, funds, property or rights created by, or accruing to any person under the provisions of K.S.A. 74-4901 *et seq.* or 74-4951 *et seq.*, and amendments thereto, including, but not limited to, for all taxable years beginning after December 31, 2000, amounts received as a lump-sum payment at retirement as provided by K.S.A. 74-4918, 74-4964 or 74-4964a, and amendments thereto, and all earnings thereof, shall be exempt from any tax of the state of Kansas or any political subdivision or taxing body of the state, and such lump-sum payment at retirement, and all earnings thereof, shall retain such tax exempt status even if a retirant elects to roll over such lump-sum payment at retirement, and earnings, into a qualified retirement account whether segregated from or commingled with other retirement funds; shall not be subject to execution, garnishment or attachment, or, except as otherwise provided, any other process or claim whatsoever; and shall be unassignable, except that within 30 days after the death of a retirant the lump-sum death benefit payable to a retirant's beneficiary pursuant to the provisions of K.S.A. 74-4989, and amendments thereto, may be assignable to a funeral establishment providing funeral services to the retirant by the beneficiary of such retirant. Any annuity or benefit or accumulated contributions due and owing to any person under the provisions of K.S.A. 74-4901 *et seq.* or 74-4951 *et seq.*, and amendments thereto, are subject to claims of an alternate payee under a qualified domestic relations order. As used in this subsection, the terms "alternate payee" and "qualified domestic relations order" shall have the meaning ascribed to them in section 414(p) of the federal internal revenue code. The provisions of this act shall apply to any qualified domestic relations order which is in effect on or after July 1, 1994. The Kansas public employees retirement system shall not be a party to any action under ~~article 16 of chapter 60 the Kansas family law code, chapter 23~~ of the Kansas Statutes Annotated, and amendments thereto, but is subject to orders from such actions issued by the district court of the county where such action was filed and may also accept orders which it deems to be qualified under this subsection from courts having jurisdiction of such actions outside the state of Kansas. Such orders from such actions shall specify either a specific amount or specific percentage of the amount of the

pension or benefit or any accumulated contributions due and owing from the system to be distributed by the system pursuant to this act.

(c) In any case where a state agency is owed a debt or where a participating employer under the Kansas public employees retirement system or under the Kansas police and firemen's retirement system has been required to pay and has paid an arrearage obligation of the amount of contributions of a member which were not paid at the time required and where the employment of the member by the state agency or participating employer has been terminated and the member is eligible to withdraw accumulated contributions in accordance with K.S.A. 74-4917 and 74-4963, and amendments thereto, the state agency or participating employer shall be paid from the member's account in the fund an amount equal to the debt or the amount of contributions of the member paid by the participating employer pursuant to an arrearage obligation, upon application to the board therefor accompanied by certification of the amount to be paid to the state agency or participating employer. If any application and certification under this subsection are not received by the board prior to the withdrawal of accumulated contributions by the member, the board shall not be liable to pay and shall not pay any amount from the fund pursuant to any such application and certification.

Sec. 87. K.S.A. 74-7334 is hereby amended to read as follows: 74-7334. (a) There is hereby created in the state treasury the crime victims assistance fund. All moneys credited to the fund pursuant to K.S.A. 12-4117, 19-101e, 19-4707 and 20-367, and amendments thereto, shall be used solely for the purpose of making grants for on-going operating expenses of programs, including court-appointed special advocate programs, providing: (1) Temporary emergency shelter for victims of child abuse and neglect; (2) counseling and assistance to those victims; or (3) educational services directed at reducing the incidence of child abuse and neglect and diminishing its impact on the victim. The remainder of moneys credited to the fund shall be used for the purpose of supporting the operation of state agency programs which provide services to the victims of crime and making grants to existing programs or to establish and maintain new programs providing services to the victims of crime.

(b) All expenditures from the crime victims assistance fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or by a person or persons designated by the attorney general.

(c) The attorney general may apply for, receive and accept moneys from any source for the purposes for which moneys in the crime victims assistance fund may be expended. Upon receipt of any such moneys, the attorney general shall remit the entire amount to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the crime victims assistance fund.

(d) Grants made to programs with funds derived from K.S.A. 12-4117, 19-101e, 19-4707 and 20-367, and amendments thereto, shall be based on the numbers of persons served by the program and shall be made only to programs aimed at preventing child abuse and neglect or providing residential services or facilities to victims of child abuse or neglect. In order for programs to qualify for funding under this section, they must:

- (1) Meet the requirements of section 501(c) of the internal revenue code of 1986;
- (2) be registered and in good standing as a nonprofit corporation;
- (3) meet normally accepted standards for nonprofit organizations;
- (4) have trustees who represent the racial, ethnic and socioeconomic diversity of the county or counties served;
- (5) have received 50% or more of their funds from sources other than funds distributed through the fund, which other sources may be public or private and may include contributions of goods or services, including materials, commodities, transportation, office space or other types of facilities or personal services;
- (6) demonstrate ability to successfully administer programs;
- (7) make available an independent certified audit of the previous year's financial records;
- (8) have obtained appropriate licensing or certification, or both;
- (9) serve a significant number of residents of the county or counties served;
- (10) not unnecessarily duplicate services already adequately provided to county residents; and
- (11) agree to comply with reporting requirements of the attorney general.

The attorney general may adopt rules and regulations establishing additional standards for eligibility and accountability for grants made pursuant to this section.

(e) All moneys credited to the fund pursuant to ~~K.S.A. 23-108a~~ K.S.A. 2011 Supp. 23-2510, and amendments thereto, shall be set aside to use as matching funds for meeting any federal requirement for the purpose of establishing child exchange and visitation centers as provided in K.S.A. 75-720, and amendments thereto. If no federal funds are made available to the state for the purpose of establishing such child exchange and visitation centers, then such moneys may be used as otherwise provided in this section. Only those moneys credited to the fund pursuant to ~~K.S.A. 23-108a~~ K.S.A. 2011 Supp. 23-2510, and amendments thereto, may be used for such matching funds. No state general fund moneys shall be used for such matching funds.

Sec. 88. K.S.A. 2011 Supp. 65-6608, as amended by section 1 of 2012 Senate Bill No. 290 is hereby amended to read as follows: 65-6608. As used in the addictions counselor licensure act:

(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.

(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.

(c) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling ~~only~~ in a state-licensed or certified alcohol and other drug treatment program or in completing a

Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to sections 1 through 13, and amendments thereto, unless otherwise exempt for licensure under subsection (m) of K.S.A. 59-29b46, and amendments thereto.

(d) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.

Sec. 89. On July 1, 2012, K.S.A. 2011 Supp. 23-3508 is hereby repealed.

Sec. 90. K.S.A. 13-1246a, 20-1204a, 20-2618, 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131, 23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136, 23-4,137, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-4509, 12-5005, 20-164, 20-165, 20-302b, 21-5414, 21-5808, 21-5924, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 22-4616, 23-2217, 23-2704, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2255b, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-1613, 60-2403, 60-2803, 60-3107, 65-6608, as amended by section 1 of 2012 Senate Bill No. 290, 74-147 and 74-4923 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in line 1, in the title, by striking all after "AN ACT" and inserting:

"concerning domestic relations; enacting the batterer intervention program certification act; relating to case management; recodification of the Kansas family law code; amending K.S.A. 13-1246a, 20-1204a, 20-2618, 39-7,138, 39-7,147, 44-514, 60-2308, 60-3103, 65-2409a and 74-7334 and K.S.A. 2011 Supp. 12-4509, 12-5005, 20-164, 20-165, 20-302b, 21-5414, 21-5808, 21-5924, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 22-4616, 23-2217, 23-2704, 23-2706, 23-2709, 23-2710, 23-2715, 23-2717, 23-2802, 23-2902, 23-2905, 23-3001, 23-3004, 23-3005, 23-3207, 23-3208, 23-3215, 23-3219, 23-3221, 23-3222, 23-3301, 23-3302, 23-3304, 23-3403, 23-3508, 38-1518, 38-2201, 38-2202, 38-2203, 38-2220, 38-2221, 38-2223, 38-2255, 38-2264, 38-2304, 38-2313, 38-2318, 38-2362, 39-7,135, 39-7,145, 59-2136, 60-308, 60-703, 60-2403, 60-2803, 60-3107, 65-6608, as amended by section 1 of 2012 Senate Bill No. 290, 74-147 and 74-4923 and repealing the existing sections; also repealing K.S.A. 23-4,125, 23-4,126, 23-4,127, 23-4,128, 23-4,129, 23-4,130, 23-4,131, 23-4,132, 23-4,133, 23-4,134, 23-4,135, 23-4,136 and 23-4,137 and K.S.A. 2011 Supp. 38-2255b and 60-1613.";

And your committee on conference recommends adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **SB 304** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy, Grant, Hayzlett, Kelley, LeDoux, Rhoades, Roth, Sloan, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for HB 2730** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2730, as follows:

On page 25, in line 27, by striking "(1)" and inserting "and (c)(1)"; in line 28, by striking "(b)(5)" and inserting "(c)(4)";

And your committee on conference recommends the adoption of this report.

MARK TADDIKEN

RUTH TEICHMAN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Powell, the conference committee report on **S Sub for HB 2730** was adopted.

On roll call, the vote was: Yeas 94; Nays 22; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Goico, Gonzalez, Gordon, Grange, Gregory, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Landwehr, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Brunk, Dillmore, Donohoe, Garber, D. Gatewood, S. Gatewood, Goodman, Grosserode, Henderson, Hildabrand, Kinzer, Kuether, Lane, Mah, O'Brien, O'Hara, Otto, Patton, Scapa, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Cassidy, Grant, Hayzlett, Kelley, LeDoux, Rhoades, Roth, Sloan, Weber.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Huebert, the House concurred in Senate amendments to **S Sub for HB 2267**, AN ACT concerning homeowners associations; amending K.S.A. 2010 Supp. 58-4608, 58-4610 and 58-4618 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 85; Nays 32; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alford, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlson, Collins, Crum, Davis, Feuerborn, Finney, Flaharty, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Ruiz, Ryckman, Schroeder, Seiwert, Shultz, Siegfried, Slattery, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Winn, B. Wolf, K. Wolf, Worley.

Nays: Arpke, Aurand, Brown, Brunk, Carlin, Colloton, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Frownfelter, D. Gatewood, Gordon, Gregory, Grosserode, Hildabrand, Howell, Kelley, Kiegerl, Kinzer, Mast, Meier, O'Brien, O'Hara, Rubin, Scapa, Schwab, Schwartz, Ward, Williams, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cassidy, Grant, Hayzlett, Hedke, LeDoux, Rhoades, Sloan, Weber.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 79**.

The Senate adopts the Conference Committee report on **H Sub for SB 160**.
The Senate adopts the Conference Committee report on **SB 334**.

MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits the veto message from the Governor on **H Sub for SB 315**, An Act concerning the state bank commissioner, powers; amending K.S.A. 9-1722 and 9-1801 and K.S.A. 2011 Supp. 9-508, 9-509, 9-510, 9-511, 9-512, 9-513, 9-513a, 9-513c, 75-2935b, 75-3135 and 75-3135a and repealing the existing sections, which was received on April 12, 2012, and was read before the Senate on April 25, 2012.

Message from the Governor

The provisions of Senate Bill 315 as introduced, and which are now contained in Sections 11 through 13 of House Substitute for Senate Bill 315, unnecessarily impair the prerogatives of the executive branch and take away an important tool for the efficient and uniform management of the executive branch of state government. The remaining provisions of House Substitute for Senate Bill 315 represent good policy and should become law.

Therefore, pursuant to Article 2 Section 14 of the Kansas Constitution, I hereby veto House Substitute for Senate Bill 315 and urge the Legislature to return the bill to me modified as set forth above before final adjournment.

SAM BROWNBACK
Governor

Dated: April 12, 2012

There being no motion to reconsidered the veto on **H Sub for SB 315**, the President ruled the veto sustained.

On motion of Rep. Siegfried, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

REPORT ON ENROLLED BILLS

S Sub for Sub HB 2004; S Sub for S Sub for HB 2249; HB 2534, HB 2562, HB 2684 reported correctly enrolled, properly signed and presented to the Governor on May 11, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6033 reported correctly enrolled and properly signed on May 11, 2012.

On motion of Rep. Siegfried, the House adjourned until Monday, May 14, 2012 at 11:00 a.m.

Journal of the House

SIXTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 14, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 116 members present.

Rep. LeDoux was excused on verified illness.

Reps. Cassidy, Collins, Donohoe, Mesa, Peck, Roth, Seiwert and Weber were excused on excused absence by the Speaker.

Present later: Reps. Cassidy and Seiwert.

Prayer by Rep. Bethell:

Our Father,

You have told us that where two or three are gathered you will be in the midst.

We are thankful and grateful for your desire to interact with each one of your creation.

You also tell us to guard our steps...draw near to listen rather than to give sacrifice to fools, for they do not know they are doing evil.

We ask, Lord, that you speak to us, but help us to realize that we have a responsibility to listen to you. Open our ears that we may hear and follow you.

Remind us daily of the words of the Prophet Micah:

What O man does God require of you? But to act justly, love mercy and to walk humbly with your God.

This I ask in your name, Amen.

The Pledge of Allegiance was led by Rep. Johnson.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for Sub HB 2318; HB 2413; Sub HB 2427; HB 2568, HB 2704.**

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Colloton, the House concurred in Senate amendments to **HB 2413, AN ACT** concerning criminal procedure; relating to aid to indigent defendants;

disclosure of tax information by department of revenue; amending K.S.A. 2011 Supp. 79-3234 and repealing the existing section; also repealing K.S.A. 2011 Supp. 79-3234b.

(The House requested the Senate to return the bill, which was in conference).

Call of the House was demanded.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Donohoe, LeDoux, Mesa, Peck, Roth, Seiwert, Weber.

On motion of Rep. Colloton, the House concurred in Senate amendments to **Sub HB 2427**, AN ACT concerning the Kansas open records act; relating to information concerning law enforcement officers; amending K.S.A. 2011 Supp. 45-221 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 111; Nays 5; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Dillmore, Frownfelter, Kiegerl, Lane, Ward.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Donohoe, LeDoux, Mesa, Peck, Roth,

Seiwert, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Senate Substitute for Substitute HB 2318** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee of the Whole amendments, as follows:

On page 10, following line 13, by inserting:

""Drug paraphernalia" shall not include any products, chemicals or materials described in subsection (a) of K.S.A. 2011 Supp. 21-5709, and amendments thereto.";

On page 13, in line 15, following "(4)" by inserting ", (d)(5)";

On page 16, in line 34, following "(4)" by inserting ", (d)(5)";

On page 17, following line 21, by inserting:

"Sec. 11. K.S.A. 2011 Supp. 21-5707 is hereby amended to read as follows: 21-5707.

(a) It shall be unlawful for any person to knowingly or intentionally use any communication facility:

(1) In committing, causing, or facilitating the commission of any felony under K.S.A. 2011 Supp. 21-5703, 21-5705 or ~~21-36a06~~ 21-5706, and amendments thereto; or

(2) in any attempt to commit, any conspiracy to commit, or any criminal solicitation of any felony under K.S.A. 2011 Supp. ~~21-36a03, 21-36a05~~ 21-5703, 21-5705 or 21-5706, and amendments thereto. Each separate use of a communication facility may be charged as a separate offense under this subsection.

(b) Violation of subsection (a) is a nondrug severity level 8, nonperson felony.

(c) As used in this section, "communication facility" means any and all public and private instrumentalities used or useful in the transmission of writing, signs, signals, pictures or sounds of all kinds and includes telephone, wire, radio, computer, computer networks, beepers, pagers and all other means of communication.";

On page 26, by striking all in lines 9 through 43;

On page 27, by striking all in lines 1 through 24;

On page 37, by striking all in lines 5 through 43;

By striking all on pages 38 through 44;

On page 45, by striking all in lines 1 through 37 and inserting:

"Sec. 29. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465, is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, and amendments

thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program. On a second conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 120 hours of confinement. Such 120

hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 *et seq.*, and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount

due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or, in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing ~~guideline~~ guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid

blocks 4-E or 4-F of the sentencing ~~guideline~~ guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes ~~or~~ in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendment thereto, or a community intermediate sanction center. Pursuant to this ~~paragraph~~ subsection the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) ~~The court~~ In committing a defendant to the custody of the secretary of corrections, the court shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, in grid blocks 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes committed prior to July 1, 2012, or in grid blocks 5-C, 5-D, 5-E or 5-F of the sentencing guidelines grid for drug crimes committed on or after July 1, 2012, and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the ~~offender's~~ defendant's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the ~~defendant~~ offender shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means mean the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to undergo a domestic violence offender assessment and follow all recommendations unless otherwise ordered

by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence offender assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such ~~recession~~ rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.";

On page 48, by striking all in lines 11 through 43;

By striking all on pages 49 through 54;

On page 55, by striking all in lines 1 through 18 and inserting:

"Sec. 32. K.S.A. 2011 Supp. 21-6614, as amended by section 3 of 2012 Senate Bill No. 322, is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d) and (e), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 ~~or~~ or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program,

parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d) and (e), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Except as provided in subsections (c), (d) and (e), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 ~~or~~ or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(d) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child as

defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(4) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(7) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2011 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2011 Supp. 21-5601, and amendments thereto;

(9) abuse of a child as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto;

(10) capital murder as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2011 Supp. 21-5405, and amendments thereto;

(15) sexual battery as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(e) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(f) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. On and after ~~the effective date of this act~~ April 12, 2012, through June 30, 2013, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the ~~Kansas parole~~ prisoner review board.

(g) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(h) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2011 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(i) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(j) Subject to the disclosures required pursuant to subsection (h), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged

under this statute may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

(k) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;
- (11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 *et seq.*, and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 *et seq.*, and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(l) The provisions of subsection (k)(17) shall apply to records created prior to, on and after July 1, 2011.";

By striking all on page 57 and inserting:

SENTENCING RANGE - DRUG OFFENSES

Category →	A	B	C	D	E	F	G	H	I
Severity Level I	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felonies	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felonies	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	144 136 130	137 130 122	130 123 117	124 117 111	116 111 105	113 108 101	110 104 99	108 100 96	103 98 92
III	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	91 49 46	47 44 41	42 40 37	36 34 32	32 30 28	30 28 26	28 26 24	26 24 22	24 22 20
V	42 40 37	36 34 32	32 30 28	30 28 26	28 26 24	26 24 22	24 22 20	22 20 18	20 18 16

LEGEND
Presumptive Probation
Presumptive Imprisonment

On page 58, in line 28, by striking "4-C, 4-D,"; in line 29, by striking "or 4-I" and inserting ", 4-I, 5-C or 5-D";

On page 67, following line 37, by inserting:

"(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.";

On page 74, by striking all in lines 28 through 43;

By striking all on pages 75 through 83;

On page 84, by striking all in lines 1 through 25 and inserting:

"Sec. 43. K.S.A. 2011 Supp. 22-3717, as amended by section 2 of House Substitute for Substitute for Senate Bill No. 159, is hereby amended to read as follows: 22-3717.

(a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4635 through 21-4638, prior to their repeal; K.S.A. 21-4624, prior to its repeal; K.S.A. 21-4642, prior to its repeal; K.S.A. 2011 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2011 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2011 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of capital murder, or an inmate sentenced for the crime of murder in the first degree based upon a finding of premeditated murder, committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(2) Except as provided by subsection (b)(1) or (b)(4), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2011 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(3) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2011 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(4) An inmate sentenced to imprisonment for a violation of subsection (a) of K.S.A. 21-3402, prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(5) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its

repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2011 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity ~~level~~ levels 1 through 4 crimes ~~and~~ drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes ~~and~~ drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity ~~level~~ levels 7 through 10 crimes ~~and~~ drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2011 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(D) (i) The sentencing judge shall impose the postrelease supervision period provided in subparagraph (d)(1)(A), (d)(1)(B) or (d)(1)(C), unless the judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated. In that event, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal

pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2011 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

- (a) Written briefs or oral arguments submitted by either the defendant or the state;
- (b) any evidence received during the proceeding;
- (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to subsection (e) of K.S.A. 21-4714, prior to its repeal, or subsection (e) of K.S.A. 2011 Supp. 21-6813, and amendments thereto; and
- (d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subparagraph (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2011 Supp. 21-6817, and amendments thereto.

(vi) Upon petition, the prisoner review board may provide for early discharge from the postrelease supervision period upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subparagraph (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated, shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) Except as provided in subsection (u), persons convicted of a sexually violent crime committed on or after July 1, 2006, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(2) As used in this ~~section~~ subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or subsection

(a) of K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(D) criminal sodomy, subsection (a)(2) and (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) and (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto; or

(K) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2011 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(3) As used in this subsection. "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, ~~for~~ deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least ~~the~~ one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person

would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmates proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with

the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to search or seizure by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to search or seizure by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall ~~adopt~~ promulgate rules and regulations in accordance with K.S.A. 77-415 *et seq.*, and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto,

unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to search or seizure by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to search or seizure by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to May 25, 2000, who are eligible for modification

of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section for offenders convicted of severity ~~level~~ levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes and severity level 4 crimes on the sentencing guidelines grid for drug crimes on or before September 1, 2000; for offenders convicted of severity ~~level~~ levels 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes on or before November 1, 2000; and for offenders convicted of severity ~~level~~ levels 5 and 6 crimes on the sentencing guidelines grid for nondrug crimes and severity level 3 crimes on the sentencing guidelines grid for drug crimes on or before January 1, 2001.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board ~~or the court~~ orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to subsection (r) of K.S.A. 2011 Supp. 21-6604, and amendments thereto, the board ~~or court~~ shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board ~~or court~~ shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means: Any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2011 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 44. K.S.A. 2011 Supp. 22-3901 is hereby amended to read as follows: 22-3901. The following unlawful activities and the use of real or personal property in maintaining and carrying on such activities are hereby declared to be common nuisances:

- (a) Commercial gambling;
- (b) dealing in gambling devices;
- (c) possession of gambling devices;
- (d) promoting obscenity;
- (e) promoting prostitution;
- (f) habitually promoting prostitution;

(g) violations of any law regulating controlled substances;

(h) habitual violations of any law regulating the sale or exchange of alcoholic liquor or cereal malt beverages, by any person not licensed pursuant to chapter 41 of the Kansas Statutes Annotated, and amendments thereto;

(i) habitual violations of any law regulating the sale or exchange of cigarettes or tobacco products, by any person not licensed pursuant to article 33 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(j) any felony committed for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members. As used in this subsection, "criminal street gang" means any organization, association or group, whether formal or informal:

(1) Consisting of three or more persons;

(2) having as one of its primary activities the commission of one or more person felonies, person misdemeanors, felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors;

(3) which has a common name or common identifying sign or symbol; and

(4) whose members, individually or collectively engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies, person misdemeanors, felony violations of K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or the comparable juvenile offenses, which if committed by an adult would constitute the commission of such felonies or misdemeanors, or any substantially similar offense from another jurisdiction; or

(k) use of pyrotechnics, pyrotechnic devices or pyrotechnic materials in violation of K.S.A. 2011 Supp. 31-170, and amendments thereto.

Any real property used as a place where any such activities are carried on or permitted to be carried on and any effects, equipment, paraphernalia, fixtures, appliances, musical instruments or other personal property designed for and used on such premises in connection with such unlawful activities are subject to the provisions of K.S.A. 22-3902, 22-3903 and 22-3904, and amendments thereto.";

On page 89, by striking all in lines 34 through 43;

By striking all on pages 90 through 92;

On page 93, by striking all in lines 1 through 27 and inserting:

"Sec. 47. K.S.A. 2011 Supp. 38-2369, as amended by section 1 of 2012 House Bill No. 2737, is hereby amended to read as follows: 38-2369. (a) For the purpose of committing juvenile offenders to a juvenile correctional facility, the following placements shall be applied by the judge in felony or misdemeanor cases. If used, the court shall establish a specific term of commitment as specified in this subsection, unless the judge conducts a departure hearing and finds substantial and compelling reasons to impose a departure sentence as provided in K.S.A. 2011 Supp. 38-2371, and amendments thereto.

(1) *Violent Offenders.* (A) The violent offender I is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute an off-grid felony. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 60 months and up to a maximum term of the offender reaching the age of 22 years, six months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of the offender reaching the age of 23 years.

(B) The violent offender II is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute a nondrug severity level 1, 2 or 3 felony. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 24 months and up to a maximum term of the offender reaching the age 22 years, six months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of the offender reaching the age of 23 years.

(2) *Serious Offenders.* (A) The serious offender I is defined as an offender adjudicated as a juvenile offender for an offense;

(i) Which, if committed by an adult, would constitute a nondrug severity level 4, 5 or 6 person felony or a severity level 1 or 2 drug felony;

(ii) committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute a drug severity level 1 or 2 felony; or

(iii) committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute a drug severity level 1, 2 or 3 felony.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of 18 months and up to a maximum term of 36 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 24 months.

(B) The serious offender II is defined as an offender adjudicated as a juvenile offender for an offense which, if committed by an adult, would constitute a nondrug severity level 7, 8, 9 or 10 person felony with one prior felony adjudication. Offenders in this category may be committed to a juvenile correctional facility for a minimum term of nine months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 24 months.

(3) *Chronic Offenders.* (A) The chronic offender I, chronic felon is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) Which, if committed by an adult, would constitute one present nonperson felony adjudication and two prior felony adjudications; or

(ii) committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute one present drug severity level 3 drug felony adjudication and two prior felony adjudications; or

(iii) committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and two prior felony adjudications.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of six months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum

term of 12 months.

(B) The chronic offender II, escalating felon is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) ~~Which, if committed by an adult, would constitute~~ one present felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication;

(ii) ~~which, if committed by an adult, would constitute~~ one present felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 adjudications;

(iii) ~~committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute~~ one present ~~drug~~ severity level 3 ~~drug~~ felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication; ~~or~~

(iv) ~~committed prior to July 1, 2012, which, if committed by an adult prior to July 1, 2012, would constitute~~ one present ~~drug~~ severity level 3 ~~drug~~ felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 adjudications;

(v) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication; or~~

(vi) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 4 felony adjudication and two prior drug severity level 4 or 5 adjudications.~~

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of six months and up to a maximum term of 18 months. The aftercare term for this offender is set at a minimum term of six months and up to a maximum term of 12 months.

(C) The chronic offender III, escalating misdemeanant is defined as an offender adjudicated as a juvenile offender for an offense ~~which, if committed by an adult, would constitute:~~

(i) ~~Which, if committed by an adult, would constitute~~ one present misdemeanor adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures;

(ii) ~~which, if committed by an adult, would constitute~~ one present misdemeanor adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 felony adjudications and two placement failures;

(iii) ~~which, if committed by an adult, would constitute~~ one present ~~drug~~ severity level 4 ~~drug~~ felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures; ~~or~~

(iv) ~~which, if committed by an adult, would constitute~~ one present ~~drug~~ severity level 4 ~~drug~~ felony adjudication and two prior ~~drug~~ severity level 4 ~~drug~~ or 5 felony adjudications and two placement failures;

(v) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 5 felony adjudication and either two prior misdemeanor adjudications or one prior person or nonperson felony adjudication and two placement failures; or~~

(vi) ~~committed on or after July 1, 2012, which, if committed by an adult on or after July 1, 2012, would constitute one present drug severity level 5 felony adjudication and~~

two prior drug severity level 4 or 5 adjudications and two placement failures.

Offenders in this category may be committed to a juvenile correctional facility for a minimum term of three months and up to a maximum term of six months. The aftercare term for this offender is set at a minimum term of three months and up to a maximum term of six months.

(4) *Conditional Release Violators*. Upon finding the juvenile violated a requirement or requirements of conditional release, the court may:

(A) Subject to the limitations in subsection (a) of K.S.A. 2011 Supp. 38-2366, and amendments thereto, commit the offender directly to a juvenile correctional facility for a minimum term of three months and up to a maximum term of six months. The aftercare term for this offender shall be a minimum of two months and a maximum of six months, or the length of the aftercare originally ordered, ~~which ever~~ whichever is longer.

(B) Enter one or more of the following orders:

(i) Recommend additional conditions be added to those of the existing conditional release.

(ii) Order the offender to serve a period of sanctions pursuant to subsection (f) of K.S.A. 2011 Supp. 38-2361, and amendments thereto.

(iii) Revoke or restrict the juvenile's driving privileges as described in subsection (c) of K.S.A. 2011 Supp. 38-2361, and amendments thereto.

(C) Discharge the offender from the custody of the commissioner, release the commissioner from further responsibilities in the case and enter any other appropriate orders.

(b) As used in this section: (1) "Placement failure" means a juvenile offender in the custody of the juvenile justice authority has significantly failed the terms of conditional release or has been placed out-of-home in a community placement accredited by the commissioner and has significantly violated the terms of that placement or violated the terms of probation.

(2) "Adjudication" includes out-of-state juvenile adjudications. An out-of-state offense, which if committed by an adult would constitute the commission of a felony or misdemeanor, shall be classified as either a felony or a misdemeanor according to the adjudicating jurisdiction. If an offense which if committed by an adult would constitute the commission of a felony is a felony in another state, it will be deemed a felony in Kansas. The state of Kansas shall classify the offense, which if committed by an adult would constitute the commission of a felony or misdemeanor, as person or nonperson. In designating such offense as person or nonperson, reference to comparable offenses shall be made. If the state of Kansas does not have a comparable offense, the out-of-state adjudication shall be classified as a nonperson offense.

(c) All appropriate community placement options shall have been exhausted before a chronic offender III, escalating misdemeanant shall be placed in a juvenile correctional facility. A court finding shall be made acknowledging that appropriate community placement options have been pursued and no such option is appropriate.

(d) The commissioner shall work with the community to provide on-going support and incentives for the development of additional community placements to ensure that the chronic offender III, escalating misdemeanant sentencing category is not frequently utilized.

(e) Any juvenile offender committed to a juvenile correctional facility who is

adjudicated for an offense committed while such juvenile was committed to a juvenile correctional facility, may be adjudicated to serve a consecutive term of commitment in a juvenile correctional facility.";

On page 100, by striking all in lines 13 through 43;

By striking all on pages 101 through 125;

On page 126, by striking all in lines 1 through 29;

And by renumbering sections accordingly;

Also on page 126, in line 30, by striking "K.S.A. 65-4123 and"; in line 31, following "21-5706," by inserting "21-5707,"; in line 33, by striking "21-5905,"; in line 34, following "21-6604," by inserting "as amended by section 1 of 2012 House Bill No. 2465,"; also in line 34, following "21-6614," by inserting " as amended by section 3 of 2012 Senate Bill No. 322, 21-6614, as amended by section 6 of 2012 House Bill No. 2535,"; in line 36, following "22-3717," by inserting "as amended by section 2 of 2012 House Substitute for Substitute for Senate Bill No. 159, 22-3717, as amended by section 2 of 2012 House Bill No. 2465, 22-3717, as amended by section 15 of 2012 House Bill No. 2535, 22-3901,"; in line 37, following "38-2369," by inserting "as amended by section 1 of 2012 House Bill No. 2737,"; also in line 37, by striking "65-1626, 65-1637, 65-1683, 65-"; in line 38, by striking "1685, 65-1693, 65-4101";

On page 1, in the title, in line 1, by striking "drugs" and inserting "crimes, punishment and criminal procedure"; in line 2, by striking "armed criminal action" and inserting "endangerment"; in line 5, by striking "electronic prescription and"; in line 6, by striking all before "amending" and all following "amending"; in line 8, following "21-5706," by inserting "21-5707,"; in line 9, by striking "21-5905,"; in line 11, following "21-6604," by inserting "as amended by section 1 of 2012 House Bill No. 2465,"; also in line 11, following "21-6614," by inserting "as amended by section 3 of 2012 Senate Bill No. 322,"; in line 13, following "22-3717," by inserting "as amended by section 2 of 2012 House Substitute for Substitute for Senate Bill No. 159, 22-3901,"; also in line 13, following "38-2369," by inserting "as amended by section 1 of 2012 House Bill No. 2737,"; also in line 13, by striking "65-"; in line 14, by striking all before "75-5291"; in line 16, following "Supp." by inserting "21-6614, as amended by section 6 of 2012 House Bill No. 2535,"; also in line 16, following "21-6614c" by inserting ", 22-3717, as amended by section 2 of 2012 House Bill No. 2465, 22-3717, as amended by section 15 of 2012 House Bill No. 2535";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

On motion of Rep. Colloton to adopt the conference committee report on **S Sub for Sub HB 2318**, Rep. Garber offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The motion did

not prevail

The question reverted back to the original motion of Rep. Colloton and the conference committee report on **S Sub for Sub HB 2318** was adopted.

On roll call, the vote was: Yeas 94; Nays 22; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, Denning, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Montgomery, Moxley, O'Neal, Osterman, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Wetta, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Boman, Brown, DeGraaf, Dillmore, Garber, D. Gatewood, Gordon, Grant, Grosserode, Hildabrand, Howell, Kiegerl, Lane, Meier, Meigs, O'Brien, O'Hara, Patton, Tyson, Ward, Williams, Winn.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Donohoe, LeDoux, Mesa, Peck, Roth, Seiwert, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2568** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, following line 13, by inserting:

"(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5505, and amendments thereto";

And by renumbering remaining paragraphs accordingly;

On page 3, by striking all in lines 17 through 19;

And by renumbering remaining paragraphs accordingly;

On page 24, in line 28, after "conviction" by inserting "or adjudication"; in line 30, after "conviction" by inserting "or adjudication"; in line 33, after "conviction" by inserting "or adjudication"; in line 35, after "conviction" by inserting "or adjudication"; in line 37, after "conviction" by inserting "or adjudication";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON
 LANCE KINZER
 MELODY McCRAY-MILLER
Conferees on part of House

On motion of Rep. Colloton, the conference committee report on **HB 2568** was adopted.

On roll call, the vote was: Yeas 114; Nays 2; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Patton, Peterson.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Donohoe, LeDoux, Mesa, Peck, Roth, Seiwert, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2704** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"Section 1. K.S.A. 2011 Supp. 45-221 is hereby amended to read as follows: 45-221. (a) Except to the extent disclosure is otherwise required by law, a public agency shall not be required to disclose:

(1) Records the disclosure of which is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, or the disclosure of which is prohibited or restricted pursuant to specific authorization of federal law, state statute or rule of the Kansas supreme court or rule of the senate committee on confirmation oversight relating to information submitted to the committee pursuant to K.S.A. 2011 Supp. 75-4315d, and amendments thereto, to restrict or prohibit disclosure.

(2) Records which are privileged under the rules of evidence, unless the holder of the privilege consents to the disclosure.

(3) Medical, psychiatric, psychological or alcoholism or drug dependency treatment records which pertain to identifiable patients.

(4) Personnel records, performance ratings or individually identifiable records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries or actual compensation employment contracts or employment-related contracts or agreements and lengths of service of officers and employees of public agencies once they are employed as such.

(5) Information which would reveal the identity of any undercover agent or any informant reporting a specific violation of law.

(6) Letters of reference or recommendation pertaining to the character or qualifications of an identifiable individual, except documents relating to the appointment of persons to fill a vacancy in an elected office.

(7) Library, archive and museum materials contributed by private persons, to the extent of any limitations imposed as conditions of the contribution.

(8) Information which would reveal the identity of an individual who lawfully makes a donation to a public agency, if anonymity of the donor is a condition of the donation, except if the donation is intended for or restricted to providing remuneration or personal tangible benefit to a named public officer or employee.

(9) Testing and examination materials, before the test or examination is given or if it is to be given again, or records of individual test or examination scores, other than records which show only passage or failure and not specific scores.

(10) Criminal investigation records, except as provided herein. The district court, in an action brought pursuant to K.S.A. 45-222, and amendments thereto, may order disclosure of such records, subject to such conditions as the court may impose, if the court finds that disclosure:

- (A) Is in the public interest;
- (B) would not interfere with any prospective law enforcement action, criminal investigation or prosecution;
- (C) would not reveal the identity of any confidential source or undercover agent;
- (D) would not reveal confidential investigative techniques or procedures not known to the general public;
- (E) would not endanger the life or physical safety of any person; and
- (F) would not reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto.

If a public record is discretionarily closed by a public agency pursuant to this subsection, the record custodian, upon request, shall provide a written citation to the specific provisions of paragraphs (A) through (F) that necessitate closure of that public record.

(11) Records of agencies involved in administrative adjudication or civil litigation, compiled in the process of detecting or investigating violations of civil law or administrative rules and regulations, if disclosure would interfere with a prospective administrative adjudication or civil litigation or reveal the identity of a confidential source or undercover agent.

(12) Records of emergency or security information or procedures of a public agency, or plans, drawings, specifications or related information for any building or

facility which is used for purposes requiring security measures in or around the building or facility or which is used for the generation or transmission of power, water, fuels or communications, if disclosure would jeopardize security of the public agency, building or facility.

(13) The contents of appraisals or engineering or feasibility estimates or evaluations made by or for a public agency relative to the acquisition of property, prior to the award of formal contracts therefor.

(14) Correspondence between a public agency and a private individual, other than correspondence which is intended to give notice of an action, policy or determination relating to any regulatory, supervisory or enforcement responsibility of the public agency or which is widely distributed to the public by a public agency and is not specifically in response to communications from such a private individual.

(15) Records pertaining to employer-employee negotiations, if disclosure would reveal information discussed in a lawful executive session under K.S.A. 75-4319, and amendments thereto.

(16) Software programs for electronic data processing and documentation thereof, but each public agency shall maintain a register, open to the public, that describes:

- (A) The information which the agency maintains on computer facilities; and
- (B) the form in which the information can be made available using existing computer programs.

(17) Applications, financial statements and other information submitted in connection with applications for student financial assistance where financial need is a consideration for the award.

(18) Plans, designs, drawings or specifications which are prepared by a person other than an employee of a public agency or records which are the property of a private person.

(19) Well samples, logs or surveys which the state corporation commission requires to be filed by persons who have drilled or caused to be drilled, or are drilling or causing to be drilled, holes for the purpose of discovery or production of oil or gas, to the extent that disclosure is limited by rules and regulations of the state corporation commission.

(20) Notes, preliminary drafts, research data in the process of analysis, unfunded grant proposals, memoranda, recommendations or other records in which opinions are expressed or policies or actions are proposed, except that this exemption shall not apply when such records are publicly cited or identified in an open meeting or in an agenda of an open meeting.

(21) Records of a public agency having legislative powers, which records pertain to proposed legislation or amendments to proposed legislation, except that this exemption shall not apply when such records are:

- (A) Publicly cited or identified in an open meeting or in an agenda of an open meeting; or
- (B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(22) Records of a public agency having legislative powers, which records pertain to research prepared for one or more members of such agency, except that this exemption shall not apply when such records are:

- (A) Publicly cited or identified in an open meeting or in an agenda of an open

meeting; or

(B) distributed to a majority of a quorum of any body which has authority to take action or make recommendations to the public agency with regard to the matters to which such records pertain.

(23) Library patron and circulation records which pertain to identifiable individuals.

(24) Records which are compiled for census or research purposes and which pertain to identifiable individuals.

(25) Records which represent and constitute the work product of an attorney.

(26) Records of a utility or other public service pertaining to individually identifiable residential customers of the utility or service, except that information concerning billings for specific individual customers named by the requester shall be subject to disclosure as provided by this act.

(27) Specifications for competitive bidding, until the specifications are officially approved by the public agency.

(28) Sealed bids and related documents, until a bid is accepted or all bids rejected.

(29) Correctional records pertaining to an identifiable inmate or release, except that:

(A) The name; photograph and other identifying information; sentence data; parole eligibility date; custody or supervision level; disciplinary record; supervision violations; conditions of supervision, excluding requirements pertaining to mental health or substance abuse counseling; location of facility where incarcerated or location of parole office maintaining supervision and address of a releasee whose crime was committed after the effective date of this act shall be subject to disclosure to any person other than another inmate or releasee, except that the disclosure of the location of an inmate transferred to another state pursuant to the interstate corrections compact shall be at the discretion of the secretary of corrections;

(B) ~~the ombudsman of corrections;~~ the attorney general, law enforcement agencies, counsel for the inmate to whom the record pertains and any county or district attorney shall have access to correctional records to the extent otherwise permitted by law;

(C) the information provided to the law enforcement agency pursuant to the sex offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall be subject to disclosure to any person, except that the name, address, telephone number or any other information which specifically and individually identifies the victim of any offender required to register as provided by the Kansas offender registration act, K.S.A. 22-4901 *et seq.*, and amendments thereto, shall not be disclosed; and

(D) records of the department of corrections regarding the financial assets of an offender in the custody of the secretary of corrections shall be subject to disclosure to the victim, or such victim's family, of the crime for which the inmate is in custody as set forth in an order of restitution by the sentencing court.

(30) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

(31) Public records pertaining to prospective location of a business or industry where no previous public disclosure has been made of the business' or industry's interest in locating in, relocating within or expanding within the state. This exception shall not include those records pertaining to application of agencies for permits or licenses necessary to do business or to expand business operations within this state, except as

otherwise provided by law.

(32) Engineering and architectural estimates made by or for any public agency relative to public improvements.

(33) Financial information submitted by contractors in qualification statements to any public agency.

(34) Records involved in the obtaining and processing of intellectual property rights that are expected to be, wholly or partially vested in or owned by a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or an assignee of the institution organized and existing for the benefit of the institution.

(35) Any report or record which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

(36) Information which would reveal the precise location of an archeological site.

(37) Any financial data or traffic information from a railroad company, to a public agency, concerning the sale, lease or rehabilitation of the railroad's property in Kansas.

(38) Risk-based capital reports, risk-based capital plans and corrective orders including the working papers and the results of any analysis filed with the commissioner of insurance in accordance with K.S.A. 40-2c20 and 40-2d20, and amendments thereto.

(39) Memoranda and related materials required to be used to support the annual actuarial opinions submitted pursuant to subsection (b) of K.S.A. 40-409, and amendments thereto.

(40) Disclosure reports filed with the commissioner of insurance under subsection (a) of K.S.A. 40-2,156, and amendments thereto.

(41) All financial analysis ratios and examination synopses concerning insurance companies that are submitted to the commissioner by the national association of insurance commissioners' insurance regulatory information system.

(42) Any records the disclosure of which is restricted or prohibited by a tribal-state gaming compact.

(43) Market research, market plans, business plans and the terms and conditions of managed care or other third-party contracts, developed or entered into by the university of Kansas medical center in the operation and management of the university hospital which the chancellor of the university of Kansas or the chancellor's designee determines would give an unfair advantage to competitors of the university of Kansas medical center.

(44) The amount of franchise tax paid to the secretary of revenue or the secretary of state by domestic corporations, foreign corporations, domestic limited liability companies, foreign limited liability companies, domestic limited partnership, foreign limited partnership, domestic limited liability partnerships and foreign limited liability partnerships.

(45) Records, other than criminal investigation records, the disclosure of which would pose a substantial likelihood of revealing security measures that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; or (C) private property or persons, if the records are submitted to the agency. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian

population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments.

(46) Any information or material received by the register of deeds of a county from military discharge papers (DD Form 214). Such papers shall be disclosed: To the military dischargee; to such dischargee's immediate family members and lineal descendants; to such dischargee's heirs, agents or assigns; to the licensed funeral director who has custody of the body of the deceased dischargee; when required by a department or agency of the federal or state government or a political subdivision thereof; when the form is required to perfect the claim of military service or honorable discharge or a claim of a dependent of the dischargee; and upon the written approval of the commissioner of veterans affairs, to a person conducting research.

(47) Information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault.

(48) Policy information provided by an insurance carrier in accordance with subsection (h)(1) of K.S.A. 44-532, and amendments thereto. This exemption shall not be construed to preclude access to an individual employer's record for the purpose of verification of insurance coverage or to the department of labor for their business purposes.

(49) An individual's e-mail address, cell phone number and other contact information which has been given to the public agency for the purpose of public agency notifications or communications which are widely distributed to the public.

(50) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to the Kansas 911 act, and amendments thereto, upon request of the party submitting such records.

(b) Except to the extent disclosure is otherwise required by law or as appropriate during the course of an administrative proceeding or on appeal from agency action, a public agency or officer shall not disclose financial information of a taxpayer which may be required or requested by a county appraiser or the director of property valuation to assist in the determination of the value of the taxpayer's property for ad valorem taxation purposes; or any financial information of a personal nature required or requested by a public agency or officer, including a name, job description or title revealing the salary or other compensation of officers, employees or applicants for employment with a firm, corporation or agency, except a public agency. Nothing contained herein shall be construed to prohibit the publication of statistics, so classified as to prevent identification of particular reports or returns and the items thereof.

(c) As used in this section, the term "cited or identified" shall not include a request to an employee of a public agency that a document be prepared.

(d) If a public record contains material which is not subject to disclosure pursuant to this act, the public agency shall separate or delete such material and make available to the requester that material in the public record which is subject to disclosure pursuant to this act. If a public record is not subject to disclosure because it pertains to an identifiable individual, the public agency shall delete the identifying portions of the

record and make available to the requester any remaining portions which are subject to disclosure pursuant to this act, unless the request is for a record pertaining to a specific individual or to such a limited group of individuals that the individuals' identities are reasonably ascertainable, the public agency shall not be required to disclose those portions of the record which pertain to such individual or individuals.

(e) The provisions of this section shall not be construed to exempt from public disclosure statistical information not descriptive of any identifiable person.

(f) Notwithstanding the provisions of subsection (a), any public record which has been in existence more than 70 years shall be open for inspection by any person unless disclosure of the record is specifically prohibited or restricted by federal law, state statute or rule of the Kansas supreme court or by a policy adopted pursuant to K.S.A. 72-6214, and amendments thereto.

(g) Any confidential records or information relating to security measures provided or received under the provisions of subsection (a)(45) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.";

And by renumbering sections accordingly;

On page 2, in line 15, by striking "10" and inserting "20"; in line 39, after "K.S.A." by inserting "74-7402, 74-7403, 74-7404, 74-7406, 74-7407,"; in line 40, after "Supp." by inserting "45-221,";

On page 1, in the title, in line 1, after the second "the" by inserting "ombudsman of corrections; transfer or discharge of certain offenders,"; in line 3, after "Supp." by inserting "45-221,"; in line 4, after "K.S.A." by inserting "74-7402, 74-7403, 74-7404, 74-7406, 74-7407,";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

PAT COLLOTON

LANCE KINZER

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Colloton, the conference committee report on **HB 2704** was adopted.

On roll call, the vote was: Yeas 109; Nays 7; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Colloton, Crum, DeGraaf, Denning, Fawcett, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Peterson, Phelps, Phillips, Pottorff, Powell,

Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Davis, Dillmore, Feuerborn, Patton, Tyson, Ward.

Present but not voting: None.

Absent or not voting: Cassidy, Collins, Donohoe, LeDoux, Mesa, Peck, Roth, Seiwert, Weber.

On motion of Rep. Siegfried, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

On motion of Rep. Siegfried, the House recessed until 3:00 p.m.

MID-AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 306**; **Sub SB 307**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 306** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on page 2 and inserting:

"Section 1. K.S.A. 2011 Supp. 75-5743 is hereby amended to read as follows: 75-5743. (a) All employers and labor organizations doing business in this state shall submit information concerning each new employee to the secretary of labor within 20 business days of the hiring, rehiring or return to work of the newly hired employee or within 20 business days from the date the newly hired employee first receives wages or other compensation from the employer. The information shall include the newly hired employee's name, address ~~and~~ social security number and the date services for remuneration were first performed by the newly hired employee and the employer's name, address ~~and~~ federal tax identification number and any other information as may be required by section 453A of the social security act, 42 U.S.C. § 653a.

(b) For purposes of this section, the term "newly hired employee" means an

employee who has not previously been employed by the employer, or was previously employed by the employer, but has been separated from such prior employment for at least 60 consecutive days.

(b)(c) The department of social and rehabilitation services shall have access to such information to match the employee's social security number with title IV-D cases.

Sec. 2. K.S.A. 2011 Supp. 75-5743 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in the title, by striking all in lines 1 through 3 and inserting:

"AN ACT concerning employers, labor organizations and certain contractors; amending K.S.A. 2011 Supp. 75-5743 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Colloton, the conference committee report on **SB 306** was adopted.

On roll call, the vote was: Yeas 93; Nays 20; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Finney, Flaharty, Garber, D. Gatewood, Goico, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Henry, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Landwehr, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Burroughs, Feuerborn, Frownfelter, S. Gatewood, Gonzalez, Grant, Grosserode, Henderson, Hildabrand, Kuether, Lane, Montgomery, O'Hara, Phelps, Ruiz, Schroeder, Tietze, Tyson, Winn.

Present but not voting: None.

Absent or not voting: Billinger, Collins, Donohoe, Hermanson, Johnson, Kleebe, LeDoux, Mesa, Peck, Peterson, Roth, Weber.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Substitute for SB 307** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on

conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5107 is hereby amended to read as follows: 21-5107. (a) A prosecution for murder, terrorism or illegal use of weapons of mass destruction may be commenced at any time.

(b) Except as provided in subsection (e), a prosecution for any crime shall be commenced within 10 years after its commission if the victim is the Kansas public employees retirement system.

(c) Except as provided in subsection (e), a prosecution for a sexually violent offense as defined in K.S.A. 22-3717, and amendments thereto, shall be commenced within the limitation of time provided by the law pertaining to such offense or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

(d) Except as provided by subsection (e), a prosecution for any crime, as defined in K.S.A. 2011 Supp. 21-5102, and amendments thereto, not governed by subsections (a), (b) or (c) shall be commenced within five years after it is committed.

(e) The period within which a prosecution shall be commenced shall not include any period in which:

(1) The accused is absent from the state;

(2) the accused is concealed within the state so that process cannot be served upon the accused;

(3) the fact of the crime is concealed;

(4) a prosecution is pending against the defendant for the same conduct, even if the indictment or information which commences the prosecution is quashed or the proceedings thereon are set aside, or are reversed on appeal;

(5) an administrative agency is restrained by court order from investigating or otherwise proceeding on a matter before it as to any criminal conduct defined as a violation of any of the provisions of article 41 of chapter 25 and article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, which may be discovered as a result thereof regardless of who obtains the order of restraint; or

(6) whether the fact of the crime is concealed by the active act or conduct of the accused, there is substantially competent evidence to believe two or more of the following factors are present:

(A) The victim was a child under 15 years of age at the time of the crime;

(B) the victim was of such age or intelligence that the victim was unable to determine that the acts constituted a crime;

(C) the victim was prevented by a parent or other legal authority from making known to law enforcement authorities the fact of the crime whether or not the parent or other legal authority is the accused; and

(D) there is substantially competent expert testimony indicating the victim psychologically repressed such witness' memory of the fact of the crime, and in the expert's professional opinion the recall of such memory is accurate and free of undue manipulation, and substantial corroborating evidence can be produced in support of the allegations contained in the complaint or information but in no event may a prosecution be commenced as provided in ~~this section~~ subsection (e)(6) later than the date the victim turns 28 years of age. Corroborating evidence may include, but is not limited to,

evidence the defendant committed similar acts against other persons or evidence of contemporaneous physical manifestations of the crime.

(f) An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing offense plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed except if the offense charged is a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, and the victim was under 18 years of age at the time of the offense, then time shall start to run on the day after the victim's 18th birthday.

(g) A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution. No such prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(h) As used in this section, "parent or other legal authority" shall include, but not be limited to, natural and stepparents, grandparents, aunts, uncles or siblings.";

On page 2, following line 19, by inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-5909 is hereby amended to read as follows: 21-5909. (a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer, the secretary of the department of social and rehabilitation services or any agent or representative of the secretary, or any person required to make a report pursuant to K.S.A. 2011 Supp. 38-2223, and amendments thereto;

(B) causing a complaint, indictment or information to be sought and prosecuted, or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution; or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Aggravated intimidation of a witness or victim is intimidation of a witness or victim, as defined in subsection (a), when the:

(1) Act is accompanied by an expressed or implied threat of force or violence against a witness, victim or other person or the property of any witness, victim or other person;

(2) act is in furtherance of a conspiracy;

(3) the act is committed by a person who has been previously convicted of corruptly influencing a witness or has been convicted of a violation of this section or any federal or other state's statute which, if the act prosecuted was committed in this state, would be a violation of this section;

(4) witness or victim is under 18 years of age; or
 (5) act is committed for pecuniary gain or for any other consideration by a person acting upon the request of another person.

(c) (1) Intimidation of a witness or victim is a class B person misdemeanor.

(2) Aggravated intimidation of a witness or victim is a severity level 6, person felony.";

On page 3, in line 40, after "(g)" by inserting "If the defendant, or defendant's attorney in consultation with the defendant, requests a delay and such delay is granted, the delay shall be charged to the defendant regardless of the reasons for making the request, unless there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

On page 4, in line 22, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

On page 1, in the title, in line 2, following the first "to" by inserting "the statute of limitations for sexually violent crimes when the victim is a child;"; also in line 2, by striking "relating to" and inserting "intimidation of a witness;"; in line 4, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Colloton, the conference committee report on **Sub SB 307** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Billinger, Collins, Donohoe, Hermanson, Johnson, Kleeb, LeDoux, Mesa, Peck, Peterson, Roth, Weber.

REPORT ON ENGROSSED BILLS

S Sub for HB 2077 reported correctly engrossed May 11, 2012.

HB 2502, HB 2613 reported correctly re-engrossed May 11, 2012.

Also, **S Sub for HB 2267** reported correctly engrossed May 14, 2012.

HB 2464 reported correctly re-engrossed May 14, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2313; HB 2324; S Sub for HB 2596; HB 2757 reported correctly enrolled, properly signed and presented to the Governor on May 14, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Tuesday, May 15, 2012.

Journal of the House

SIXTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 15, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 115 members present.

Rep. LeDoux was excused on verified illness.

Rep. Pauls was excused on legislative business.

Reps. Arpke, Collins, Donohoe, Johnson, Kiegerl, Roth, Suellentrop and Weber were excused on excused absence by the Speaker.

Present later: Rep. Suellentrop.

Prayer by Rep. Phelps:

Heavenly Father, we pause this Tuesday morning for reflection. So often as humans we seem to lose our way and wonder, "How did we get here?" We put our faith in maps and guides and think that if we just find the right one, all our problems will go away. Help us to remember that even as we despair, others are on much darker paths and need our help more than ever. Grant us the ability to recognize that our own differences are minor compared to the real challenges faced by the people we represent. Renew in us our charge: to help those less fortunate live out the same prairie optimism that exists for all Kansans. Whether that is roads, schools or maps, please help us complete our work.

In your most holy and precious name we pray, Amen.

The Pledge of Allegiance was led by Rep. Schwartz.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 425**.

On motion of Rep. Siegfried, the House recessed until 10:30 a.m..

LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

MESSAGES FROM THE GOVERNOR

HB 2471 approved on May 14, 2012.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 425** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 8, by striking "2017" and inserting "2013"; in line 9, by striking "2018" and inserting "2014";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub for SB 425** was adopted.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Arpke, Collins, Donohoe, Johnson, Kiegerl, LeDoux, O'Neal, Pauls, Roth, Suellentrop, Weber.

On motion of Rep. Siegfried, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for Sub SB 148**.

The Senate adopts the Conference Committee report on **SB 304**.

The Senate adopts the Conference Committee report on **S Sub for HB 2157**.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced that Rep. Phelps would replace Rep. Pauls on Committee on Judiciary, and Rep. Burroughs would replace Rep. Pauls on House Rules Committee, effective through Thursday, May 17, 2012.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub SB 283**.

On motion of Rep. Siegfried, the House recessed until 3:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **Substitute for SB 283** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 2, in line 5, by striking the comma and inserting:

":

(1) On and after July 1, 2012 through June 30, 2013,";

Also on page 2, following line 7, by inserting "(2) On and after July 1, 2013, the sheriff of each Kansas county shall charge a fee of \$15 for serving, executing and returning any process.";

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **Sub SB 283** was adopted.

On roll call, the vote was: Yeas 83; Nays 29; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum, Davis, Denning, Fawcett, Finney, Flaharty, Goico, Gonzalez, Goodman, Grange, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Loganbill, Mast, McCray-Miller, Meigs, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Prescott, Proehl, Rhoades, Rubin, Ryckman, Schroeder, Schwab, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Wetta, Williams, B. Wolf, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Carlin, DeGraaf, Dillmore, Feuerborn, Frownfelter, Garber, D. Gatewood, S. Gatewood, Gordon, Grant, Gregory, Henderson, Hildabrand, Howell, Huebert, Kuether, Lane, Mah, Meier, Mesa, O'Hara, Phelps, Powell, Ruiz, Scapa, Schwartz, Tyson, Winn.

Present but not voting: None.

Absent or not voting: Arpke, Collins, Donohoe, Johnson, Kiegerl, Landwehr, LeDoux, McLeland, Pauls, Peterson, Roth, Suellentrop, Weber.

REPORT ON ENGROSSED BILLS

S Sub for HB 2730 reported correctly re-engrossed May 15, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Wednesday, May 16, 2012.

Journal of the House

SEVENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 16, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 117 members present.

Rep. LeDoux was excused on verified illness.

Rep. Pauls was excused on legislative business.

Reps. Collins, Donohoe, Fawcett, McCray-Miller, Roth and Weber were excused on excused absence by the Speaker.

Reps. Hill and Seiwert were excused later in the day on excused absence by the Speaker.

Present later: Rep. Fawcett.

Prayer by guest chaplain, the Rev. Jim Peters, pastor, Our Savior's Lutheran Church, Topeka:

God of life,

We thank you for giving us this new day of life, and all the opportunities and the challenges that this day will bring. Whatever may happen, whatever we may have to face, we pray for your presence to be felt here among us. Give us the strength and the help we need and give us ample reason to rejoice in your abundant goodness. Please bless the work of our representatives this day and guide them in the decisions they make. Look upon us all with love and favor. We praise you, O God, for all your works truly are wonderful. We especially remember Rep. Melody McCray-Miller's father and we ask you to hold him and keep him close to your heart this day. And we ask for all of these things in your gracious name. Amen.

The Pledge of Allegiance was led by Rep. B. Wolf.

MESSAGE FROM THE GOVERNOR

S Sub for Sub HB 2004; S Sub for S Sub for HB 2249; HB 2534, HB 2562, HB 2684 approved on May 16, 2012.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 287**.

The Senate adopts the Conference Committee report on **SB 306**.

The Senate adopts the Conference Committee report on **S Sub for HB 2597**.

The Senate not adopts the Conference Committee report on **Sub SB 307**, requests a conference and appoints Senators Owens, King and Haley as second conferees on the part of the Senate.

The Senate not adopts the Conference Committee report on **H Sub for SB 425**, requests a conference and appoints Senators Owens, King and Haley as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2157** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 12 and inserting:

"New Section 1. Sections 1 through 5, and amendments thereto, shall be known and may be cited as the competitive bid protection act.

New Sec. 2. The purposes of the competitive bid protection act are to: (a) Provide for the efficient procurement of goods and services by governmental entities;

(b) promote the economical, nondiscriminatory and efficient administration and completion of state and state-funded or state-assisted construction projects by governmental entities;

(c) provide for fair and open competition for construction contracts, awarded by governmental entities;

(d) prohibit requirements for certain terms in construction contracts awarded by governmental entities;

(e) prohibit the expenditure of public funds under certain conditions;

(f) prohibit certain terms in procurement documents by governmental entities for public facilities; and

(g) provide powers and duties for certain public officers, employees and contractors.

New Sec. 3. (a) Unless otherwise required by law, each governmental entity within this state that contracts for public works construction shall ensure that neither the awarding governmental entity nor any agent responsible for procuring a contract directly between the governmental entity and a contractor shall not:

(1) Require any bidder, contractor, subcontractor or material supplier to enter into or agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects; or

(2) discriminate against or treat differently any bidder, contractor, subcontractor or material supplier for becoming, refusing to become or remaining signatories or otherwise to agree to enter into any prehire agreement, project labor agreement,

collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects.

(b) Nothing in this section shall prohibit:

(1) Any bidder, contractor, subcontractor, construction manager, design-builder or material supplier of any tier from voluntarily entering into agreements described in paragraph (1) of subsection (a); or

(2) any contractor, construction manager or design builder from requiring its subcontractors or material suppliers of any tier to enter into a collective bargaining agreement.

New Sec. 4. No provision of this act shall be construed to:

(a) Prohibit any employer or other party from entering into any agreement or engaging in any other activity protected by the national labor relations act, 29 U.S.C. §§ 151 to 169; and

(b) interfere with labor relations of any party that is protected under the national labor relations act, 29 U.S.C. §§ 151 to 169.

New Sec. 5. For the purposes of this act:

(a) "Governmental entity" means a state agency or a municipality as the context requires.

(b) "Municipality" means the same as specified in K.S.A. 12-105a, and amendments thereto.

(c) "State agency" means the same as specified in K.S.A. 75-3728a, and amendments thereto.

Sec. 6. K.S.A. 2011 Supp. 75-3740 is hereby amended to read as follows: 75-3740.

(a) Except as provided by K.S.A. 75-3740b, and amendments thereto, and subsection (g), all contracts and purchases made by or under the supervision of the director of purchases or any state agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids.

(b) The director of purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:

(1) The dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state; and

(2) in the case of bids for paper products specified in K.S.A. 75-3740b, and amendments thereto, the dollar amounts of the bids received from two or more lowest responsible bidders are identical, the contract shall be awarded to the bidder whose bid is for those paper products containing the highest percentage of recycled materials.

(c) Any or all bids may be rejected, and a bid shall be rejected if it contains any material alteration or erasure made after the bid is opened. The director of purchases may reject the bid of any bidder who is in arrears on taxes due the state, who is not properly registered to collect and remit taxes due the state or who has failed to perform satisfactorily on a previous contract with the state. The secretary of revenue is hereby authorized to exchange such information with the director of purchases as is necessary to effectuate the preceding sentence notwithstanding any other provision of law prohibiting disclosure of the contents of taxpayer records or information. Prior to determining the lowest responsible bidder on contracts for construction of buildings or

for major repairs or improvements to buildings for state agencies, the director of purchases shall consider: (1) The criteria and information developed by the secretary of administration, with the advice of the state building advisory commission to rate contractors on the basis of their performance under similar contracts with the state, local governmental entities and private entities, in addition to other criteria and information available; and (2) the recommendations of the project architect, or, if there is no project architect, the recommendations of the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254, and amendments thereto. In any case where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance, unless otherwise expressly provided by law or the state agency elects not to proceed with the procurement.

(d) Before the awarding of any contract for construction of a building or the making of repairs or improvements upon any building for a state agency, the director of purchases shall receive written approval from the state agency for which the building construction project has been approved, that the bids generally conform with the plans and specifications prepared by the project architect, by the secretary of administration or by the agency architect for the project, as the case may be, so as to avoid error and mistake on the part of the contractors. In all cases where material described in a contract can be obtained from any state institution, the director of purchases shall exclude the same from the contract.

(e) All bids with the names of the bidders and the amounts thereof, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the director of purchases for five years, unless reproduced as provided in K.S.A. 75-3737, and amendments thereto, and shall be open to public inspection at all reasonable times.

(f) As used in this section and in K.S.A. 75-3741, and amendments thereto, "project architect" shall have the meaning ascribed thereto in K.S.A. 75-1251, and amendments thereto.

(g) When a state agency is receiving bids to purchase passenger motor vehicles, such agency shall follow the procedures prescribed in subsection (b)(1), except in the case where one of the responsible bidders offers motor vehicles which are assembled in Kansas. In such a case, 3% of the bid of the responsible bidder which offers motor vehicles assembled in Kansas shall be subtracted from the bid amount, and that amount shall be used to determine the lowest bid pursuant to subsection (b)(1). This subsection shall only apply to bids which match the exact motor vehicle specifications of the agency purchasing passenger motor vehicles.

Sec. 7. K.S.A. 2011 Supp. 75-3740 is hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 5, and inserting "concerning competitive bidding; relating to purchase of motor vehicles by state agencies; enacting the competitive bid protection act; amending K.S.A. 2011 Supp. 75-3740 and repealing the existing section.":

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

On motion of Rep. Carlson to adopt the conference committee report on **S Sub for HB 2157**, Rep. Brown offered a substitute motion to not adopt the conference committee report and asked that a new conference committee be appointed. The substitute motion prevailed.

Speaker O'Neal thereupon appointed Reps. Carlson, Kleeb and Dillmore as third conferees on the part of the House.

On motion of Rep. Siegfried, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 250**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 250** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows: on page 1, by striking all in lines 6 through 32;

By striking all in pages 2 through 5;

On page 6, by striking all in line 1 and inserting:

"Section 1. (a) (1) Except as provided in paragraphs (2) and (3), whenever a municipality provides for the payment of premiums for any health benefit plan for its firefighters, it shall pay premiums for the continuation of coverage under COBRA for the surviving spouse and dependent children of a firefighter who dies in the line of duty. Premiums for continuation of coverage under COBRA shall be paid for 18 months.

(2) A municipality may not be required to pay the premiums described in paragraph (1) for a surviving spouse:

(A) On or after the end of the 18th calendar month after the date of death of the deceased firefighter;

(B) upon the remarriage of the deceased firefighter's surviving spouse; or

(C) upon the deceased firefighter's surviving spouse reaching the age of 65.

(3) An individual is not a dependent child of a deceased firefighter for the purposes of paragraph (1) after such individual reaches the age of 18 years unless such individual

is a:

(A) Full-time student in an accredited high school; or
 (B) full-time student in a postsecondary educational institution, except that this subparagraph shall not apply to such an individual after the close of the calendar year in which the individual reaches the age of 24 as long as such individual continues to maintain such status as a full-time student.

(b) For the purposes of this section:

(1) "Firefighter" means an actual member of an organized fire department, of a municipality, whether regular or volunteer.

(2) "Health benefit plan" shall have the meaning ascribed to it in K.S.A. 40-4602, and amendments thereto.

(3) "Municipality" means city, county or township.

(4) "Postsecondary educational institution" shall have the meaning ascribed to it in K.S.A. 74-3201b, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.";

On page 1, in line 1, in the title, by striking all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "pertaining to the continuation of health insurance for firefighters";

And your committee on conference recommends the adoption of this report.

CLARK SHULTZ
 PHIL HERMANSON
 BOB GRANT

Conferees on part of House

RUTH TEICHMAN
 TY MASTERSON
 ALLEN C. SCHMIDT

Conferees on part of Senate

On motion of Rep. Shultz, the conference committee report on **SB 250** was adopted.

On roll call, the vote was: Yeas 87; Nays 23; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alford, Aurand, Ballard, Billinger, Bowers, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Cassidy, Colloton, Crum, Davis, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Hayzlett, Henderson, Henry, Hermanson, Hildabrand, Hineman, Hoffman, C. Holmes, Johnson, Kelly, Kerschen, Kiegler, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, Meier, Montgomery, Moxley, O'Brien, Osterman, Otto, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Wetta, Williams, Winn, B. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Bethell, Bollier, Boman, Brown, Brunk, DeGraaf, Gordon, Gregory, Grosserode, Hedke, M. Holmes, Howell, Huebert, Kelley, Kinzer, Knox, McLeland, Meigs, O'Hara, Patton, Ryckman, K. Wolf.

Present but not voting: None.

Absent or not voting: Carlson, Collins, Donohoe, Hill, Kleeb, LeDoux, McCray-Miller, Mesa, O'Neal, Pauls, Peterson, Roth, Seiwert, Suellentrop, Weber.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 291** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 291," as follows:

"HOUSE Substitute for SENATE BILL NO. 291

By Committee on Judiciary

"AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections."; and the substitute bill be passed.

(**Sub SB 291** was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

Sub HB 2689 reported correctly engrossed May 15, 2012.

HB 2503 reported correctly re-engrossed May 15, 2012.

Also, **HB 2704** reported correctly engrossed May 16, 2012.

HB 2413 reported correctly re-engrossed May 16, 2012.

REPORT ON ENGROSSED RESOLUTIONS

HR 6032 reported correctly engrossed May 16, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2117 reported correctly enrolled, properly signed and presented to the Governor on May 16, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Thursday, May 17, 2012.

Journal of the House

SEVENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 17, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 116 members present.

Reps. Carlin and LeDoux were excused on verified illness.

Rep. Pauls was excused on legislative business.

Reps. Bollier, Collins, McCray-Miller, Mesa, Roth and B. Wolf were excused on excused absence by the Speaker.

Rep. Cassidy was excused later in the day on excused absence by the Speaker.

Present later: Reps. Bollier and Pauls.

Prayer by guest chaplain, the Rev. George White, Parish Associate, First Presbyterian Church, Topeka:

We pray, O God, that you will fill this sacred minute with meaning.

We have all grown tired. It's been a long session. We feel the strain of meeting deadlines, and we chafe under frustration.

Hold us steady, lest we lose our poise. Blunt our speech, lest be cutting words and careless deeds we harm the opportunities this day holds. Reframe our standard of values that we may champion a bright and promising future for everyone who calls Kansas home.

We need poise and peace of mind. We need humility. We need you, O God, to supply the deepest needs of tired bodies, jaded spirits and frayed nerves.

So fill this sacred minute with meaning. May it ever be in our minds, as upon our coins, that *In God we trust*. Amen.

The Pledge of Allegiance was led by Rep. Kuether.

CHANGE OF REFERENCE

Speaker O'Neal announced the withdrawal of **H Sub for SB 145** from the Calendar under the heading General Orders and referral to Committee on Redistricting.

COMMUNICATIONS FROM STATE OFFICERS

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, in

accordance with K.S.A. 60-4117, report of the State Forfeiture Fund for December 1, 2010 through December 1, 2011.

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

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 60; H Sub for SB 177.**

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to House Substitute for SB 60 submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 9 through 34;

By striking all on pages 2 through 21 and inserting:

"New Section 1. On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or section 2, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

New Sec. 2. (a) Refusing to submit to a test to determine the presence of alcohol or drugs is refusing to submit to or complete a test or tests deemed consented to under subsection (a) of K.S.A. 8-1001, and amendments thereto, if such person has:

(1) Any prior test refusal as defined in K.S.A. 8-1013, and amendments thereto, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older; or

(2) any prior conviction for a violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older.

(b) (1) Refusing to submit to a test to determine the presence of alcohol or drugs is:

(A) On a first conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each

day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(B) on a second conviction a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(C). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours;

(C) on a second conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the

beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours; and

(D) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(C) or (b)(1)(D) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2011 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall

be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessments and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(e) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person

shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(f) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(g) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections which occurred during a person's lifetime shall be taken into account, but only convictions occurring when such person was 18 years of age or older: (A) This section; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (h)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (h)(1) or (h)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was

committed on a military reservation and which would constitute a crime described in subsection (h)(1) or (h)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense;

(5) multiple convictions of any crime described in subsection (h)(1) or (h)(2) arising from the same arrest shall only be counted as one conviction;

(6) the prior conviction that is an element of the crime of refusing to submit to a test to determine the presence of alcohol or drugs shall not be used for the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section and shall not be considered in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense; and

(7) a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, or an ordinance which prohibits the acts of this section, only once during the person's lifetime.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) An ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city

attorney shall refer the violation to the appropriate county or district attorney for prosecution.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 *et seq.* or 22-2906 *et seq.*, and amendments thereto, shall not constitute plea bargaining.

(m) As used in this section, "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(n) On and after July 1, 2012, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 8-235 is hereby amended to read as follows: 8-235. (a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless such person has a valid driver's license. No person shall receive a driver's license unless and until such person surrenders or with the approval of the division, lists to the division all valid licenses in such person's possession issued to such person by any other jurisdiction. All surrendered licenses or the information listed on foreign licenses shall be returned by the division to the issuing department, together with information that the licensee is now licensed in a new jurisdiction. No person shall be permitted to have more than one valid license at any time.

(b) Any person licensed under the motor vehicle drivers' license act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise such privilege by any local authority. Nothing herein shall prevent cities from requiring licenses of persons who drive taxicabs or municipally franchised transit systems for hire upon city streets, to protect the public from drivers whose character or habits make them unfit to transport the public. If a license is denied, the applicant may appeal such decision to the district court of the county in which such city is located by filing within 14 days after such denial, a notice of appeal with the clerk of the district court and by filing a copy of such notice with the city clerk of the involved city. The city clerk shall certify a copy of such decision of the city governing body to the clerk of the district court and the matter shall be docketed as any other cause and the applicant shall be granted a trial of such person's character and habits. The matter shall be heard by the court *de novo* in accordance with the code of civil procedure. The cost of such appeal shall be assessed in such manner as the court may direct.

(c) Any person operating in this state a motor vehicle, except a motorcycle, which is registered in this state other than under a temporary thirty-day permit shall be the

holder of a driver's license which is classified for the operation of such motor vehicle, and any person operating in this state a motorcycle which is registered in this state shall be the holder of a class M driver's license, except that any person operating in this state a motorcycle which is registered under a temporary thirty-day permit shall be the holder of a driver's license for any class of motor vehicles.

(d) No person shall drive any motorized bicycle upon a highway of this state unless such person: (1) ~~Such person~~ Has a valid driver's license which entitles the licensee to drive a motor vehicle in any class or classes; (2) ~~such person~~ is at least 15 years of age and has passed the written and visual examinations required for obtaining a class C driver's license, in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; ~~or~~ (3) ~~such person~~ has had their driving privileges suspended, for a violation other than a violation of K.S.A. 8-2,144, and amendments thereto, or a second or subsequent violation of K.S.A. 8-1567 or 8-1567a or section 2, and amendments thereto, and such person has completed the mandatory period of suspension as provided in K.S.A. 8-1014, and amendments thereto, and has made application to the division for the issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue to such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles; or (4) has had their driving privileges revoked under K.S.A. 8-286, and amendments thereto, has not had a test refusal or test failure or alcohol or drug-related conviction, as those terms are defined in K.S.A. 8-1013, and amendments thereto, in the last five years, has not been convicted of a violation of subsection (b) of K.S.A. 8-1568, and amendments thereto, in the last five years and has made application to the division for issuance of a class C license for the operation of motorized bicycles, in accordance with paragraph (2), in which case the division shall issue such person a class C license which clearly indicates such license is valid only for the operation of motorized bicycles.

(e) Violation of this section shall constitute a class B misdemeanor.

Sec. 4. K.S.A. 8-241 is hereby amended to read as follows: 8-241. (a) Except as provided in K.S.A. 8-2,125 through 8-2,142, and amendments thereto, any person licensed to operate a motor vehicle in this state shall submit to an examination whenever: (1) The division of vehicles has good cause to believe that such person is incompetent or otherwise not qualified to be licensed; or (2) the division of vehicles has suspended such person's license pursuant to K.S.A. 8-1014, and amendments thereto, as the result of a test refusal, test failure or conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, except that no person shall have to submit to and successfully complete an examination more than once as the result of separate suspensions arising out of the same occurrence.

(b) When a person is required to submit to an examination pursuant to subsection (a)(1), the fee for such examination shall be in the amount provided by K.S.A. 8-240, and amendments thereto. When a person is required to submit to an examination pursuant to subsection (a)(2), the fee for such examination shall be \$25. In addition, any person required to submit to an examination pursuant to subsection (a)(2): (1) As the

result of a test failure, a conviction for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 8-1567, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$100 after the first occurrence, \$200 after the second occurrence, \$300 after the third occurrence and \$400 after the fourth or subsequent occurrence; and (2) as a result of a test refusal, a conviction for a violation of section 2, and amendments thereto, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by section 2, and amendments thereto, shall be required, at the time of examination, to pay a reinstatement fee of \$400 after the first occurrence, \$600 after the second occurrence, \$800 after the third occurrence and \$1,000 after the fourth or subsequent occurrence. ~~No reinstatement shall be allowed after the fifth or subsequent occurrence under either subsection (b)(1) or (b)(2).~~ All examination fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 80% to the state highway fund and 20% shall be disposed of as provided in K.S.A. 8-267, and amendments thereto. All reinstatement fees collected pursuant to this section shall be remitted to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount in the state treasury and credit 50% to the community alcoholism and intoxication programs fund created pursuant to K.S.A. 41-1126, and amendments thereto, 20% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, 20% to the forensic laboratory and materials fee fund cited in K.S.A. 28-176, and amendments thereto, and 10% to the driving under the influence equipment fund created by K.S.A. 75-5660, and amendments thereto. Moneys credited to the forensic laboratory and materials fee fund as provided herein shall be used to supplement existing appropriations and shall not be used to supplant general fund appropriations to the Kansas bureau of investigation.

(c) When an examination is required pursuant to subsection (a), at least five days' written notice of the examination shall be given to the licensee. The examination administered hereunder shall be at least equivalent to the examination required by subsection (e) of K.S.A. 8-247, and amendments thereto, with such additional tests as the division deems necessary. Upon the conclusion of such examination, the division shall take action as may be appropriate and may suspend or revoke the license of such person or permit the licensee to retain such license, or may issue a license subject to restrictions as permitted under K.S.A. 8-245, and amendments thereto.

(d) Refusal or neglect of the licensee to submit to an examination as required by this section shall be grounds for suspension or revocation of the license.

Sec. 5. K.S.A. 2011 Supp. 8-262 is hereby amended to read as follows: 8-262. (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, shall be guilty of a class B nonperson misdemeanor on the first conviction and a class A nonperson misdemeanor on the second or subsequent conviction.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such

person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (c), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (c), if a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and (B) is or has been also convicted of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) The division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section, upon a charge of driving a vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(c) (1) The person found guilty of a class A nonperson misdemeanor on a third or subsequent conviction of this section shall be sentenced to not less than 90 days imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:

(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;

(B) was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage;

(C) was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or involuntary manslaughter as defined in subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or

(D) was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto.

(2) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place

the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

(d) For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section.

Sec. 6. K.S.A. 2011 Supp. 8-285 is hereby amended to read as follows: 8-285. Except as otherwise provided in this section, as used in this act, the words and phrases defined in K.S.A. 8-234a, and amendments thereto, shall have the meanings ascribed to them therein. The term "habitual violator" means any resident or nonresident person who, within the immediately preceding five years, has been convicted in this or any other state:

(a) Three or more times of:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with that statute;

(2) violating K.S.A. 8-1567, and amendments thereto, or violating an ordinance of any city in this state, any resolution of any county in this state or any law of another state, which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute;

(3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, or, as prohibited by any ordinance of any city in this state, any resolution of any county in this state or any law of another state which is in substantial conformity with those statutes;

(4) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(5) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications, or violating the provisions of a law of another state which is in substantial conformity with that statute;

(6) any crime punishable as a felony, if a motor vehicle was used in the perpetration of the crime;

(7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602 through 8-1604, and amendments thereto, or required by any ordinance of any city in this state, any resolution of any county in this state or a law of another state which is in substantial conformity with those statutes;~~or~~

(8) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage, or an ordinance of any city in this state or a resolution of any county in this state which is in substantial conformity with such statute;or

(9) violating section 2, and amendments thereto, or violating an ordinance of any

city in this state, a resolution of any county in this state or any law of another state which ordinance, resolution or law declares to be unlawful the acts prohibited by that statute.

(b) Three or more times, either singly or in combination, of any of the offenses enumerated in subsection (a).

For the purpose of subsection (a)(2) and (a)(9), in addition to the definition of "conviction" otherwise provided by law, conviction includes, but is not limited to, a diversion agreement entered into in lieu of further criminal proceedings, or a plea of *nolo contendere*, on a complaint, indictment, information, citation or notice to appear alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or an ordinance of a city in this state, a resolution of a county in this state or law of another state, which ordinance or law prohibits the acts prohibited by ~~that statute~~ those statutes.

Sec. 7. K.S.A. 8-286 is hereby amended to read as follows: 8-286. Whenever the files and records of the division shall disclose that the record of convictions of any person is such that the person is an habitual violator, as prescribed by K.S.A. 8-285, and amendments thereto, the division promptly shall revoke the person's driving privileges for a period of three years, except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto.

Sec. 8. K.S.A. 2011 Supp. 8-287 is hereby amended to read as follows: 8-287. Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, operation of a motor vehicle in this state while one's driving privileges are revoked pursuant to K.S.A. 8-286, and amendments thereto, is a class A nonperson misdemeanor. The person found guilty of a third or subsequent conviction of this section shall be sentenced to not less than 90 days imprisonment and fined not less than \$1,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

Sec. 9. K.S.A. 8-288 is hereby amended to read as follows: 8-288. Except as allowed under subsection (d)(4) of K.S.A. 8-235, and amendments thereto, no license to operate a motor vehicle in Kansas shall be issued to a person for a period of three years from the date of the division's order revoking such person's driving privileges pursuant to K.S.A. 8-286, and amendments thereto, and until the person's driving privileges have been restored.

Sec. 10. K.S.A. 8-2, 142 is hereby amended to read as follows: 8-2, 142. (a) A person is disqualified from driving a commercial motor vehicle for a period of not less than one year upon a first occurrence of any one of the following:

- (1) While operating a commercial motor vehicle:
 - (A) The person is convicted of violating K.S.A. 8-2,144, and amendments thereto;

(B) the person is convicted of violating subsection (b) of K.S.A. 8-2,132, and amendments thereto;

(C) the person is convicted of causing a fatality through the negligent operation of a commercial motor vehicle;

(D) the person's test refusal or test failure, as defined in subsection (m); or

(E) the person is convicted of a violation identified in subsection (a)(2)(A); or

(2) while operating a noncommercial motor vehicle:

(A) The person is convicted of a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or of a violation of an ordinance of any city in this state, a resolution of any county in this state or any law of another state, which ordinance or law declares to be unlawful the acts prohibited by that statute; or

(B) the person's test refusal or test failure, as defined in K.S.A. 8-1013, and amendments thereto; or

(3) while operating any motor vehicle:

(A) The person is convicted of leaving the scene of an accident; or

(B) the person is convicted of a felony, other than a felony described in subsection (e), while using a motor vehicle to commit such felony.

(b) If any offenses, test refusal or test failure specified in subsection (a) occurred in a commercial motor vehicle while transporting a hazardous material required to be placarded, the person is disqualified for a period of not less than three years.

(c) A person shall be disqualified for life upon the second or a subsequent occurrence of any offense, test refusal or test failure specified in subsection (a), or any combination thereof, arising from two or more separate incidents.

(d) The secretary of revenue may adopt rules and regulations establishing guidelines, including conditions, under which a disqualification for life under subsection (c) may be reduced to a period of not less than 10 years.

(e) A person is disqualified from driving a commercial motor vehicle for life who uses a commercial motor vehicle or noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution or dispensing of a controlled substance, or possession with intent to manufacture, distribute or dispense a controlled substance.

(f) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a commercial motor vehicle arising from separate incidents occurring within a three-year period. Any disqualification period under this paragraph shall be in addition to any other previous period of disqualification. The beginning date for any three-year period within a ten-year period, required by this subsection, shall be the issuance date of the citation which resulted in a conviction.

(g) A person is disqualified from driving a commercial motor vehicle for a period of not less than 60 days if convicted of two serious traffic violations, or 120 days if convicted of three or more serious traffic violations, committed in a noncommercial motor vehicle arising from separate incidents occurring within a three-year period, if such convictions result in the revocation, cancellation or suspension of the person's driving privileges.

(h) (1) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) Ninety days nor more than one year, if the driver is convicted of a first violation of an out-of-service order;

(B) one year nor more than five years if the person has one prior conviction for violating an out-of-service order in a separate incident and such prior offense was committed within the 10 years immediately preceding the date of the present violation; or

(C) three years nor more than five years if the person has two or more prior convictions for violating out-of-service orders in separate incidents and such prior offenses were committed within the 10 years immediately preceding the date of the present violation.

(2) A person who is convicted of operating a commercial motor vehicle in violation of an out-of-service order while transporting a hazardous material required to be placarded under 49 U.S.C. § 5101 *et seq.* or while operating a motor vehicle designed to transport more than 15 passengers, including the driver, shall be disqualified from driving a commercial motor vehicle for a period of not less than:

(A) One hundred and eighty days nor more than two years if the driver is convicted of a first violation of an out-of-service order; or

(B) three years nor more than five years if the person has a prior conviction for violating an out-of-service order in a separate incident and such prior offense was committed within the 10 years immediately preceding the date of the present violation.

(i) (1) A person who is convicted of operating a commercial motor vehicle in violation of a federal, state or local law or regulation pertaining to one of the following six offenses at a railroad-highway grade crossing shall be disqualified from driving a commercial motor vehicle for the period of time specified in paragraph (2):

(A) For persons who are not required to always stop, failing to slow down and check that the tracks are clear of an approaching train;

(B) for persons who are not required to always stop, failing to stop before reaching the crossing, if the tracks are not clear;

(C) for persons who are always required to stop, failing to stop before driving onto the crossing;

(D) for all persons failing to have sufficient space to drive completely through the crossing without stopping;

(E) for all persons failing to obey a traffic control device or the directions of an enforcement official at the crossing; or

(F) for all persons failing to negotiate a crossing because of insufficient undercarriage clearance.

(2) A driver shall be disqualified from driving a commercial motor vehicle for not less than:

(A) Sixty days if the driver is convicted of a first violation of a railroad-highway grade crossing violation;

(B) one hundred and twenty days if, during any three-year period, the driver is convicted of a second railroad-highway grade crossing violation in separate incidents; or

(C) one year if, during any three-year period, the driver is convicted of a third or subsequent railroad-highway grade crossing violation in separate incidents.

(j) After suspending, revoking or canceling a commercial driver's license, the division shall update its records to reflect that action within 10 days. After suspending, revoking or canceling a nonresident commercial driver's privileges, the division shall notify the licensing authority of the state which issued the commercial driver's license or nonresident commercial driver's license within 10 days. The notification shall include both the disqualification and the violation that resulted in the disqualification, suspension, revocation or cancellation.

(k) Upon receiving notification from the licensing authority of another state, that it has disqualified a commercial driver's license holder licensed by this state, or has suspended, revoked or canceled such commercial driver's license holder's commercial driver's license, the division shall record such notification and the information such notification provides on the driver's record.

(l) Upon suspension, revocation, cancellation or disqualification of a commercial driver's license under this act, the license shall be immediately surrendered to the division if still in the licensee's possession. If otherwise eligible, and upon payment of the required fees, the licensee may be issued a noncommercial driver's license for the period of suspension, revocation, cancellation or disqualification of the commercial driver's license under the same identifier number.

(m) As used in this section, "test refusal" means a person's refusal to submit to and complete a test requested pursuant to K.S.A. 8-2,145, and amendments thereto; "test failure" means a person's submission to and completion of a test which determines that the person's alcohol concentration is .04 or greater, pursuant to K.S.A. 8-2,145, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 8-2,144 is hereby amended to read as follows: 8-2,144.

(a) Driving a commercial motor vehicle under the influence is operating or attempting to operate any commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, within this state while:

(1) The alcohol concentration in the person's blood or breath, as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (f) of K.S.A. 8-1013, and amendments thereto, is .04 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of driving a commercial motor vehicle, is .04 or more; or

(3) committing a violation of subsection (a) of K.S.A. 8-1567, and amendments thereto, or the ordinance of a city or resolution of a county which prohibits any of the acts prohibited thereunder.

(b)(1) Driving a commercial motor vehicle under the influence is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion, 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation, suspension or reduction of sentence or parole or other release;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours; and

(C) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240-2,160~~ hours of confinement. Such ~~240-2,160~~ hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240-2,160~~ hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240-2,160~~ hours.

(2) In addition, for any conviction pursuant to subsection (b)(1)(C), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine

whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(2)(3) In addition, prior to sentencing for any conviction pursuant to subsection (b) (1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment shall be served consecutively to any other minimum mandatory penalty imposed for a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour

spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(g) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violation of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall: (1) Disqualify the person from driving a commercial motor vehicle under K.S.A. 8-2,142, and amendments thereto; and (2) suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this section as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the: (A) Division of vehicles a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution. The county or district attorney shall accept such referral and pursue a

disposition of such violation, and shall not refer any such violation back to the city attorney.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance or resolution.

(m) The alternatives set out in subsections (a)(1), (a)(2) and (a)(3) may be pleaded in the alternative, and the state, city or county may, but shall not be required to, elect one or two of the three prior to submission of the case to the fact finder.

(n) For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

~~(1) "Conviction" includes being convicted of a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits;~~

~~(2) any convictions occurring during a person's lifetime shall be taken into account when determining the sentence to be imposed for a first, second, third or subsequent offender; and~~

~~(3) it is irrelevant whether an offense occurred before or after conviction for a previous offense.~~

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) This section; (B) refusing to submit to a test to determine the presence of alcohol or drugs, section 2, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (n)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (n)(1) or (n)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (n)(1) or (n)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(5) multiple convictions of any crime described in subsection (n)(1) or (n)(2) arising from the same arrest shall only be counted as one conviction.

(o) For the purpose of this section:

(1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 2011 Supp. 21-5712, and amendments thereto.

(p) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 12. K.S.A. 2011 Supp. 8-1001 is hereby amended to read as follows: 8-1001.

(a) Any person who operates or attempts to operate a vehicle within this state is deemed to have given consent, subject to the provisions of this act, to submit to one or more tests of the person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs. The testing deemed consented to herein shall include all quantitative and qualitative tests for alcohol and drugs. A person who is dead or unconscious shall be deemed not to have withdrawn the person's consent to such test or tests, which shall be administered in the manner provided by this section.

(b) A law enforcement officer shall request a person to submit to a test or tests deemed consented to under subsection (a): (1) If the officer has reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, or to believe that the person was driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, or was under the age of 21 years while having alcohol or other drugs in such person's system; and one of the following conditions exists: (A) The person has been arrested or otherwise taken into custody for any offense involving operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both, or for a violation of K.S.A. 8-1567a, and amendments thereto, or involving driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, in violation of a state statute or a city ordinance; or (B) the person has been involved in a vehicle accident or collision resulting in property damage or personal injury other than serious injury; or (2) if the person was operating or attempting to operate a vehicle and such vehicle has been involved in an accident or collision resulting in serious injury or death of any person and the operator could be cited for any traffic offense, as defined in K.S.A. 8-2117, and amendments thereto. The traffic offense violation shall constitute probable cause for purposes of paragraph (2). The test or tests under paragraph (2) shall not be required if a law enforcement officer has

reasonable grounds to believe the actions of the operator did not contribute to the accident or collision. The law enforcement officer directing administration of the test or tests may act on personal knowledge or on the basis of the collective information available to law enforcement officers involved in the accident investigation or arrest.

(c) If a law enforcement officer requests a person to submit to a test of blood under this section, the withdrawal of blood at the direction of the officer may be performed only by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; (3) any qualified medical technician, including, but not limited to, an emergency medical technician-intermediate, mobile intensive care technician, an emergency medical technician-intermediate defibrillator, an advanced emergency medical technician or a paramedic, as those terms are defined in K.S.A. 65-6112, and amendments thereto, authorized by medical protocol; or (4) a phlebotomist.

(d) A law enforcement officer may direct a medical professional described in this section to draw a sample of blood from a person:

- (1) If the person has given consent and meets the requirements of subsection (b);
- (2) if medically unable to consent, if the person meets the requirements of paragraph (2) of subsection (b); or
- (3) if the person refuses to submit to and complete a test, if the person meets the requirements of paragraph (2) of subsection (b).

(e) When so directed by a law enforcement officer through a written statement, the medical professional shall withdraw the sample as soon as practical and shall deliver the sample to the law enforcement officer or another law enforcement officer as directed by the requesting law enforcement officer as soon as practical, provided the collection of the sample does not jeopardize the person's life, cause serious injury to the person or seriously impede the person's medical assessment, care or treatment. The medical professional authorized herein to withdraw the blood and the medical care facility where the blood is drawn may act on good faith that the requirements have been met for directing the withdrawing of blood once presented with the written statement provided for under this subsection. The medical professional shall not require the person to sign any additional consent or waiver form. In such a case, the person authorized to withdraw blood and the medical care facility shall not be liable in any action alleging lack of consent or lack of informed consent.

(f) Such sample or samples shall be an independent sample and not be a portion of a sample collected for medical purposes. The person collecting the blood sample shall complete the collection portion of a document provided by law enforcement.

(g) If a person must be restrained to collect the sample pursuant to this section, law enforcement shall be responsible for applying any such restraint utilizing acceptable law enforcement restraint practices. The restraint shall be effective in controlling the person in a manner not to jeopardize the person's safety or that of the medical professional or attending medical or health care staff during the drawing of the sample and without interfering with medical treatment.

(h) A law enforcement officer may request a urine sample upon meeting the requirements of paragraph (1) of subsection (b) and shall request a urine sample upon meeting the requirements of paragraph (2) of subsection (b).

- (i) If a law enforcement officer requests a person to submit to a test of urine under

this section, the collection of the urine sample shall be supervised by: (1) A person licensed to practice medicine and surgery, licensed as a physician's assistant, or a person acting under the direction of any such licensed person; (2) a registered nurse or a licensed practical nurse; or (3) a law enforcement officer of the same sex as the person being tested. The collection of the urine sample shall be conducted out of the view of any person other than the persons supervising the collection of the sample and the person being tested, unless the right to privacy is waived by the person being tested. When possible, the supervising person shall be a law enforcement officer. The results of qualitative testing for drug presence shall be admissible in evidence and questions of accuracy or reliability shall go to the weight rather than the admissibility of the evidence. If the person is medically unable to provide a urine sample in such manner due to the injuries or treatment of the injuries, the same authorization and procedure as used for the collection of blood in subsections (d) and (e) shall apply to the collection of a urine sample.

(j) No law enforcement officer who is acting in accordance with this section shall be liable in any civil or criminal proceeding involving the action.

(k) Before a test or tests are administered under this section, the person shall be given oral and written notice that: (1) Kansas law requires the person to submit to and complete one or more tests of breath, blood or urine to determine if the person is under the influence of alcohol or drugs, or both;

(2) the opportunity to consent to or refuse a test is not a constitutional right;

(3) there is no constitutional right to consult with an attorney regarding whether to submit to testing;

(4) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person may be charged with a separate crime of refusing to submit to a test to determine the presence of alcohol or drugs, which carries criminal penalties that are greater than or equal to the criminal penalties for the crime of driving under the influence, if such person has:

(A) Any prior test refusal as defined in K.S.A. 8-1013, and amendments thereto, which occurred: (i) On or after July 1, 2001; and (ii) when such person was 18 years of age or older; or

(B) any prior conviction for a violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, which occurred: (i) On or after July 1, 2001; and (ii) when such person was 18 years of age or older;

~~(4)~~(5) if the person refuses to submit to and complete any test of breath, blood or urine hereafter requested by a law enforcement officer, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

~~(5)~~(6) if the person submits to and completes the test or tests and the test results show:

(A) An alcohol concentration of .08 or greater, the person's driving privileges will be suspended for 30 days for the first occurrence and one year for the second or subsequent occurrence; or

(B) an alcohol concentration of .15 or greater, the person's driving privileges will be suspended for one year for the first or subsequent occurrence;

~~(6) if the person is less than 21 years of age at the time of the test request and submits to and completes the tests and the test results show an alcohol concentration of .08 or greater, the person's driving privileges will be suspended for one year;~~

(7) refusal to submit to testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both;

(8) the results of the testing may be used against the person at any trial on a charge arising out of the operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both; and

(9) after the completion of the testing, the person has the right to consult with an attorney and may secure additional testing, which, if desired, should be done as soon as possible and is customarily available from medical care facilities willing to conduct such testing.

(l) If a law enforcement officer has reasonable grounds to believe that the person has been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, the person shall also be provided the oral and written notice pursuant to K.S.A. 8-2,145, and amendments thereto. Any failure to give the notices required by K.S.A. 8-2,145, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section. If a law enforcement officer has reasonable grounds to believe that the person has been driving or attempting to drive a vehicle while having alcohol or other drugs in such person's system and such person was under 21 years of age, the person also shall be given the notices required by K.S.A. 8-1567a, and amendments thereto. Any failure to give the notices required by K.S.A. 8-1567a, and amendments thereto, shall not invalidate any action taken as a result of the requirements of this section.

(m) After giving the foregoing information, a law enforcement officer shall request the person to submit to testing. The selection of the test or tests shall be made by the officer. If the test results show a blood or breath alcohol concentration of .08 or greater, the person's driving privileges shall be subject to suspension, or suspension and restriction, as provided in K.S.A. 8-1002 and 8-1014, and amendments thereto.

(n) The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged operation or attempted operation of a vehicle while under the influence of alcohol or drugs, or both. The person's refusal shall be admissible in evidence against the person at any trial on a charge arising out of the alleged violation of section 2, and amendments thereto.

(o) If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .04 or greater, the person shall be disqualified from driving a commercial motor vehicle, pursuant to K.S.A. 8-2,142, and amendments thereto. If a law enforcement officer had reasonable grounds to believe the person had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, and the test results show a blood or breath alcohol concentration of .08 or greater, or the person refuses a test, the person's driving privileges shall be subject to suspension, or suspension and restriction, pursuant to this section, in addition to being disqualified from driving a commercial motor vehicle pursuant to K.S.A. 8-2,142, and amendments

thereto.

(p) An officer shall have probable cause to believe that the person operated a vehicle while under the influence of alcohol or drugs, or both, if the vehicle was operated by such person in such a manner as to have caused the death of or serious injury to a person. In such event, such test or tests may be made pursuant to a search warrant issued under the authority of K.S.A. 22-2502, and amendments thereto, or without a search warrant under the authority of K.S.A. 22-2501, and amendments thereto.

(q) Failure of a person to provide an adequate breath sample or samples as directed shall constitute a refusal unless the person shows that the failure was due to physical inability caused by a medical condition unrelated to any ingested alcohol or drugs.

(r) It shall not be a defense that the person did not understand the written or oral notice required by this section.

(s) No test results shall be suppressed because of technical irregularities in the consent or notice required pursuant to this act.

(t) Nothing in this section shall be construed to limit the admissibility at any trial of alcohol or drug concentration testing results obtained pursuant to a search warrant.

(u) Upon the request of any person submitting to testing under this section, a report of the results of the testing shall be made available to such person.

(v) This act is remedial law and shall be liberally construed to promote public health, safety and welfare.

(w) As used in this section, "serious injury" means a physical injury to a person, as determined by law enforcement, which has the effect of, prior to the request for testing:

(1) Disabling a person from the physical capacity to remove themselves from the scene;

(2) renders a person unconscious;

(3) the immediate loss of or absence of the normal use of at least one limb;

(4) an injury determined by a physician to require surgery; or

(5) otherwise indicates the person may die or be permanently disabled by the injury.

Sec. 13. K.S.A. 2011 Supp. 8-1008 is hereby amended to read as follows: 8-1008.

(a) As used in this section, "provider" means: (1) A professional licensed by the behavioral sciences regulatory board to diagnose and treat mental or substance use disorders at the independent level who is compliant with the requirements set forth by the secretary of social and rehabilitation services as described in subsection (f); or (2) a professional licensed by the behavioral sciences regulatory board who is working in an alcohol and drug treatment facility licensed by the secretary of social and rehabilitation services as meeting the requirements described in subsection (f).

(b) A provider shall provide:

(1) Alcohol and drug evaluations, prior to sentencing, of any person who is convicted of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by those statutes; and

(2) alcohol and drug evaluations of persons whom the prosecutor considers for eligibility or finds eligible to enter a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or the ordinance of a city or resolution of a county in this state

which prohibits the acts prohibited by that statute.

(c) A provider shall be capable of providing, within the judicial district: (1) The evaluations required under subsection (b); (2) the alcohol and drug evaluation report required under subsection (d) or (e); (3) the follow-up duties specified under subsection (d) or (e) for persons who prepare the alcohol and drug evaluation report; and (4) any other functions and duties specified by law. The secretary of social and rehabilitation services shall provide each judicial district with an electronic list of providers, and, except as provided further, such list shall be used when selecting a provider to be used as described in subsections (d) and (e). The secretary of social and rehabilitation services shall also make all such lists of providers publicly available on the official website of the department of social and rehabilitation services. Any provider performing services in any judicial district under this section prior to July 1, 2011, may continue to perform those services until July 1, ~~2012~~2013.

(d) (1) Except as provided further, prior to sentencing, an alcohol and drug evaluation shall be conducted on any person who is convicted of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by those statutes. The alcohol and drug evaluation report shall be made available to and shall be considered by the court prior to sentencing. Except as provided further, the court shall order that the cost of any alcohol and drug evaluation for any person shall be paid by such person to the provider at the time of service, and shall not exceed \$150. If the court finds that such person is indigent, the provider shall agree to accept payment as ordered by the court and the court shall order that the cost of any alcohol and drug evaluation be paid to the provider by such person as part of the judgment. The cost of any such evaluation shall be not less than \$150.

(2) The provisions of this subsection shall not apply to any person convicted pursuant to subsection (b)(1)(C) of K.S.A. 8-2,144, subsection (b)(1)(C), (b)(1)(D) or (b)(1)(E) of K.S.A. 8-1567 or subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D) of section 2, and amendments thereto.

(e) An alcohol and drug evaluation shall be conducted on any person whom the prosecutor considers for eligibility or finds eligible to enter a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits the acts prohibited by that statute. The alcohol and drug evaluation report shall be made available to the prosecuting attorney and shall be considered by the prosecuting attorney. The cost of any alcohol and drug evaluation for any person shall be paid by such person to the provider at the time of service, and shall ~~not exceed~~ be not less than \$150.

(f) On and after July 1, 2013, all alcohol and drug evaluations conducted pursuant to this section shall utilize a standardized substance use evaluation approved by the secretary of social and rehabilitation services and be submitted in a format approved by the secretary of social and rehabilitation services. On or before July 1, ~~2012~~2013, the secretary of social and rehabilitation services shall promulgate rules and regulations to implement this section.

Sec. 14. K.S.A. 2011 Supp. 8-1012 is hereby amended to read as follows: 8-1012. (a) Any person who operates or attempts to operate a vehicle within this state is deemed to have given consent to submit to a preliminary screening test of the person's breath or

saliva, or both, subject to the provisions set out in subsection (b).

(b) A law enforcement officer may request a person who is operating or attempting to operate a vehicle within this state to submit to a preliminary screening test of the person's breath or saliva, or both, if the officer has reasonable suspicion to believe the person has been operating or attempting to operate a vehicle while under the influence of alcohol or drugs or both alcohol and drugs.

(c) At the time the test is requested, the person shall be given oral notice that: (1) There is no right to consult with an attorney regarding whether to submit to testing; (2) refusal to submit to testing is a traffic infraction; and (3) further testing may be required after the preliminary screening test. Failure to provide the notice shall not be an issue or defense in any action. The law enforcement officer then shall request the person to submit to the test.

(d) Refusal to take and complete the test as requested is a traffic infraction. If the person submits to the test, the results shall be used for the purpose of assisting law enforcement officers in determining whether an arrest should be made and whether to request the tests authorized by K.S.A. 8-1001, and amendments thereto. A law enforcement officer may arrest a person based in whole or in part upon the results of a preliminary screening test. Such results shall not be admissible in any civil or criminal action concerning the operation of or attempted operation of a vehicle except to aid the court or hearing officer in determining a challenge to the validity of the arrest or the validity of the request to submit to a test pursuant to K.S.A. 8-1001, and amendments thereto. Following the preliminary screening test, additional tests may be requested pursuant to K.S.A. 8-1001, and amendments thereto.

(e) Any preliminary screening of a person's breath shall be conducted with a device approved pursuant to K.S.A. 65-1,107, and amendments thereto. ~~Any preliminary screening of a person's saliva shall be conducted with a device approved pursuant to K.S.A. 2011 Supp. 75-712h, and amendments thereto.~~

Sec. 15. K.S.A. 2011 Supp. 8-1013 is hereby amended to read as follows: 8-1013. As used in K.S.A. 8-1001 through 8-1010, 8-1011, 8-1012, 8-1014, 8-1015, 8-1016, 8-1017 and 8-1018, and amendments thereto, and this section:

(a) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath.

(b) (1) "Alcohol or drug-related conviction" means any of the following: (A) Conviction of vehicular battery or aggravated vehicular homicide, if the crime is committed while committing a violation of K.S.A. 8-1567, and amendments thereto, or the ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by that statute, or conviction of a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto; (B) conviction of a violation of a law of another state which would constitute a crime described in subsection (b)(1)(A) if committed in this state; (C) conviction of a violation of an ordinance of a city in this state or a resolution of a county in this state which would constitute a crime described in subsection (b)(1)(A), whether or not such conviction is in a court of record; or (D) conviction of an act which was committed on a military reservation and which would constitute a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or would constitute a crime described in subsection (b)(1)(A) if committed off a military reservation in this state.

(2) For the purpose of determining whether an occurrence is a first, second or

subsequent occurrence: (A) "Alcohol or drug-related conviction" also includes entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging commission of a crime described in subsection (b)(1), including a diversion agreement entered into prior to the effective date of this act; and (B) it is irrelevant whether an offense occurred before or after conviction or diversion for a previous offense.

(c) "Division" means the division of vehicles of the department of revenue.

(d) "Ignition interlock device" means a device which uses a breath analysis mechanism to prevent a person from operating a motor vehicle if such person has consumed an alcoholic beverage.

(e) "Occurrence" means a test refusal, test failure or alcohol or drug-related conviction, or any combination thereof arising from one arrest, including an arrest which occurred prior to the effective day of this act.

(f) "Other competent evidence" includes: (1) Alcohol concentration tests obtained from samples taken three hours or more after the operation or attempted operation of a vehicle; and (2) readings obtained from a partial alcohol concentration test on a breath testing machine.

(g) "Samples" includes breath supplied directly for testing, which breath is not preserved.

(h) "Test failure" or "fails a test" refers to a person's having results of a test administered pursuant to this act, other than a preliminary screening test, which show an alcohol concentration of .08 or greater in the person's blood or breath, and includes failure of any such test on a military reservation.

(i) "Test refusal" or "refuses a test" refers to a person's failure to submit to or complete any test of the person's blood, breath, urine or other bodily substance, other than a preliminary screening test, in accordance with this act, and includes refusal of any such test on a military reservation.

(j) "Law enforcement officer" has the meaning provided by K.S.A. 2011 Supp. 21-5111, and amendments thereto, and includes any person authorized by law to make an arrest on a military reservation for an act which would constitute a violation of K.S.A. 8-1567 or section 2, and amendments thereto, if committed off a military reservation in this state.

Sec. 16. K.S.A. 2011 Supp. 8-1014 is hereby amended to read as follows: 8-1014.

(a) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person refuses a test, the division, pursuant to K.S.A. 8-1002, and amendments thereto, shall:

(1) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for ~~one year~~ two years to driving only a motor vehicle equipped with an ignition interlock device;

(2) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for ~~two~~ three years to driving only a motor vehicle equipped with an ignition interlock device;

(3) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for ~~three~~ four years to driving only a motor vehicle equipped with an ignition interlock device;

(4) on the person's fourth occurrence, suspend the person's driving privileges for

one year and at the end of the suspension, restrict the person's driving privileges for ~~four~~ five years to driving only a motor vehicle equipped with an ignition interlock device; and

(5) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(b) (1) Except as provided by subsections (b)(2), ~~(e)~~ and (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state, the division shall:

(A) On the person's first occurrence, suspend the person's driving privileges for 30 days and at the end of the suspension, restrict the person's driving privileges as provided by subsection (b) of K.S.A. 8-1015, and amendments thereto;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(2) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person fails a test or has an alcohol or drug-related conviction in this state and the person's blood or breath alcohol concentration is .15 or greater, the division shall:

(A) On the person's first occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;

(B) on the person's second occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for two years to driving only a motor vehicle equipped with an ignition interlock device;

(C) on the person's third occurrence, suspend the person's driving privileges for one year and at the end of the suspension restrict the person's driving privileges for three years to driving only a motor vehicle equipped with an ignition interlock device;

(D) on the person's fourth occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for four years to driving only a motor vehicle equipped with an ignition interlock device; and

(E) on the person's fifth or subsequent occurrence, suspend the person's driving privileges for one year and at the end of the suspension, restrict the person's driving privileges for 10 years to driving only a motor vehicle equipped with an ignition interlock device.

(3) Whenever a person's driving privileges have been restricted to driving only a motor vehicle equipped with an ignition interlock device for 10 years under this section, such person may petition any district court for relief from such restriction after five years of such restriction have been served. The court shall consider, but not be limited to, whether: (A) Such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court; and (B) such person proves installation, maintenance and use of an ignition interlock device approved by the division throughout the five-year period. If the court finds that the person's driving privileges should be restored, then the court shall electronically report such order to the division. The division, upon receiving such order, shall restore such person's driving privileges, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(c) Except as provided by subsection (e) and K.S.A. 8-2,142, and amendments thereto, if a person who is less than 21 years of age fails a test or has an alcohol or drug-related conviction in this state, ~~the division shall:~~

~~(1) On the person's first occurrence, suspend the person's driving privileges for one year. If the person's blood or breath alcohol concentration is .15 or greater, the division shall at the end of the suspension, restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device;~~

~~(2) on the person's second and subsequent occurrences, penalties shall be imposed pursuant to subsection (b).~~

~~(d) Whenever the division is notified by an alcohol and drug safety action program that a person has failed to complete any alcohol and drug safety action education or treatment program ordered a provider, as defined in K.S.A. 8-1008, and amendments thereto, or a court that the person has failed to follow any recommendation made by the provider or otherwise ordered by a court for a conviction of a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the division shall suspend the person's driving privileges until the division receives notice of the person's completion of such program recommendation.~~

(e) Except as provided in K.S.A. 8-2,142, and amendments thereto, if a person's driving privileges are subject to suspension pursuant to this section for a test refusal, test failure or alcohol or drug-related conviction arising from the same arrest, the period of such suspension shall not exceed the longest applicable period authorized by subsection (a), ~~(b) or (c) or (b)~~, and such suspension periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of such suspension as authorized by subsection (a), ~~(b) or (c) or (b)~~, such person shall receive credit for any period of time for which such person's driving privileges were suspended while awaiting any hearing or final order authorized by this act.

If a person's driving privileges are subject to restriction pursuant to this section for a test failure or alcohol or drug-related conviction arising from the same arrest, the restriction periods shall not be added together or otherwise imposed consecutively. In addition, in determining the period of restriction, the person shall receive credit for any period of suspension imposed for a test refusal arising from the same arrest.

(f) If the division has taken action under subsection (a) for a test refusal or under subsection (b) ~~or (c)~~ for a test failure and such action is stayed pursuant to K.S.A. 8-259, and amendments thereto, or if temporary driving privileges are issued pursuant to K.S.A. 8-1020, and amendments thereto, the stay or temporary driving privileges shall

not prevent the division from taking the action required by subsection (b) ~~or (e)~~ for an alcohol or drug-related conviction.

(g) The provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may be applied retroactively only if requested by a person who has had such person's driving privileges suspended or restricted pursuant to subsection (a), (b) or (c) prior to such amendment. Such person may apply to the division to have the penalties applied retroactively, as provided under subsection ~~(f)~~(g) of K.S.A. 8-1015, and amendments thereto.

(h) When modifying penalties pursuant to subsection (g), the division shall credit any suspension or revocation time in excess of one year which was imposed and served prior to retroactive application of the provisions of subsections (a), (b) and (c), as amended by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, toward the required ignition interlock restriction period imposed pursuant to the retroactive application of such provisions if: (1) The person's driving record indicates no driving by the person during the applicable suspension or revocation period; and (2) the person completes a form prescribed by the division indicating that the person did not drive during the applicable suspension or revocation period.

~~(h)~~(i) As used in this section, "suspension" includes any period of suspension and any period of restriction as provided in subsection (a) of K.S.A. 8-1015, and amendments thereto.

Sec. 17. K.S.A. 2011 Supp. 8-1015 is hereby amended to read as follows: 8-1015.

(a) (1) Except as provided in subsection (a)(2), whenever a person's driving privileges have been suspended for one year as provided in subsection (a) of K.S.A. 8-1014, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(2) Whenever a person's driving privileges have been suspended for one year as provided in subsection (a)(1) of K.S.A. 8-1014, and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(3) Except as provided in subsection (a)(4), whenever a person's driving privileges have been suspended for one year as provided in subsection ~~(a)~~(b) ~~or (e)~~ of K.S.A. 8-1014, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(4) Whenever a person's driving privileges have been suspended for one year as provided in subsection (b)(2)(A) of K.S.A. 8-1014, and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's

driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(5) The division shall assess an application fee of \$100 for a person to apply to modify the suspension to restricted ignition interlock status.

~~(2)(6)~~ The division shall approve the request for such restricted license unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court. If the request is approved, upon receipt of proof of the installation of such device, the division shall issue a copy of the order imposing such restrictions on the person's driving privileges and such order shall be carried by the person at any time the person is operating a motor vehicle on the highways of this state. Except as provided in K.S.A. 8-1017, and amendments thereto, if such person is convicted of a violation of the restrictions, such person's driving privileges shall be suspended for an additional year, in addition to any term of suspension or restriction as provided in subsection ~~(a), (b) or (e)~~ (b) of K.S.A. 8-1014, and amendments thereto.

(b) (1) On and after July 1, 2011, through June 30, 2015:

(A) Except as provided in subsection (b)(1)(B), when a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges for 180 days to driving only a motor vehicle equipped with an ignition interlock device.

(B) When a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device if the records maintained by the division indicate that such person has previously: (A) Been convicted of a violation of K.S.A. 8-1599, and amendments thereto; (B) been convicted of a violation of K.S.A. 41-727, and amendments thereto; (C) been convicted of any violations listed in subsection (a) of K.S.A. 8-285, and amendments thereto; (D) been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period; or (E) had such person's driving privileges revoked, suspended, canceled or withdrawn.

(2) On and after July 1, 2015:

(A) Except as provided in subsection (b)(2)(B), when a person has completed the suspension pursuant to subsection (b)(1)(A) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges to driving only under the circumstances provided by subsections (a)(1), (2), (3) and (4) of K.S.A. 8-292, and amendments thereto.

(B) In lieu of the restrictions set out in subsection (b)(2)(A), the division, upon request of the person whose driving privileges are to be restricted, may restrict the person's driving privileges to driving only a motor vehicle equipped with an ignition interlock device.

(c) Except as provided in subsection (b), when a person has completed the suspension pursuant to subsection ~~(a), (b) or (e)~~ (b) of K.S.A. 8-1014, and amendments thereto, the division shall restrict the person's driving privileges pursuant to subsection ~~(a), (b) or (e)~~ (b) of K.S.A. 8-1014, and amendments thereto, to driving only a motor vehicle equipped with an ignition interlock device. Upon restricting a

person's driving privileges pursuant to this subsection, the division shall issue a copy of the order imposing the restrictions which is required to be carried by the person at any time the person is operating a motor vehicle on the highways of this state.

(d) Whenever an ignition interlock device is required by law, such ignition interlock device shall be approved by the division and maintained at the person's expense. Proof of the installation of such ignition interlock device, for the entire period required by the applicable law, shall be provided to the division before the person's driving privileges are fully reinstated.

(e) Except as provided further, any person whose license is restricted to operating only a motor vehicle with an ignition interlock device installed may operate an employer's vehicle without an ignition interlock device installed during normal business activities, provided that the person does not partly or entirely own or control the employer's vehicle or business. The provisions of this subsection shall not apply to any person whose driving privileges have been restricted for the remainder of the one-year suspension period as provided in subsection ~~(a)-(a)(1) or (a)(3)~~.

(f) Upon expiration of the period of time for which restrictions are imposed pursuant to this section, the licensee may apply to the division for the return of any license previously surrendered by the licensee. If the license has expired, the person may apply to the division for a new license, which shall be issued by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless the person's driving privileges have been suspended or revoked prior to expiration.

(g) Any person who has had the person's driving privileges suspended ~~or~~ restricted ~~or revoked~~ pursuant to subsection (a), (b) or (c) of K.S.A. 8-1014, prior to the amendments by this act and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may apply to the division to have the suspension ~~and~~ restriction ~~or revocation~~ penalties modified in conformity with the provisions of subsection (a), (b) or (c) of K.S.A. 8-1014, and amendments thereto. The division shall assess an application fee of \$100 for a person to apply to modify the suspension ~~and~~ restriction ~~or revocation~~ penalties previously issued. The division shall modify the suspension, restriction or revocation penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(h) The division shall remit all application fees collected pursuant to subsections (a) and (g) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the division of vehicles operating fund until an aggregate amount of \$100,000 is credited to the division of vehicles operating fund each fiscal year. On and after an aggregate amount of \$100,000 is credited to such fund each fiscal year, the entire amount of such remittance shall be credited to the community corrections supervision fund created by K.S.A. 2011 Supp. 75-52,113, and amendments thereto. The application fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such application. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. ~~The division shall modify the suspension and restriction penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.~~

Sec. 18. K.S.A. 2011 Supp. 8-1020 is hereby amended to read as follows: 8-1020.
(a) Any licensee served with an officer's certification and notice of suspension pursuant to K.S.A. 8-1002, and amendments thereto, may request an administrative hearing. Such request may be made either by:

(1) Mailing a written request which is postmarked 14 days after service of notice;
or

(2) transmitting a written request by electronic facsimile which is received by the division within 14 days after service of notice.

(b) If the licensee makes a timely request for an administrative hearing and makes a timely payment of the required hearing fee, any temporary license issued pursuant to K.S.A. 8-1002, and amendments thereto, shall remain in effect until the 30th day after the effective date of the decision made by the division.

(c) If the licensee fails to make a timely request for an administrative hearing together with the required hearing fee, the licensee's driving privileges shall be suspended or suspended and then restricted in accordance with the notice of suspension served pursuant to K.S.A. 8-1002, and amendments thereto.

(d) (1) Upon receipt of a timely request for a hearing together with the required hearing fee, the division shall forthwith set the matter for hearing before a representative of the director and provide notice of the extension of temporary driving privileges. The hearing shall be held by telephone conference call unless the hearing request includes a request that the hearing be held in person before a representative of the director. The officer's certification and notice of suspension shall inform the licensee of the availability of a hearing before a representative of the director. Except for a hearing conducted by telephone conference call, the hearing shall be conducted in the county where the arrest occurred or a county adjacent thereto.

(2) The division shall charge a fee of \$50 for a hearing, to be paid within the time period for making a timely request for a hearing, whether held by telephone or in person, to be applied by the division for administrative costs to conduct the hearing. The division shall remit all hearing fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund. The hearing fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such hearing. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(e) Except as provided in subsection (f), prehearing discovery shall be limited to the following documents, which shall be provided to the licensee or the licensee's attorney no later than seven days prior to the date of hearing:

(1) The officer's certification and notice of suspension;
(2) in the case of a breath or blood test failure, copies of documents indicating the result of any evidentiary breath or blood test administered at the request of a law enforcement officer;

(3) in the case of a breath test failure, a copy of the affidavit showing certification of the officer and the instrument; and

(4) in the case of a breath test failure, a copy of the Kansas department of health and environment testing protocol checklist.

(f) At or prior to the time the notice of hearing is sent, the division shall issue an

order allowing the licensee or the licensee's attorney to review any video or audio tape record made of the events upon which the administrative action is based. Such review shall take place at a reasonable time designated by the law enforcement agency and shall be made at the location where the video or audio tape is kept. The licensee may obtain a copy of any such video or audio tape upon request and upon payment of a reasonable fee to the law enforcement agency, not to exceed \$25 per tape.

(g) Witnesses at the hearing shall be limited to the licensee, to any law enforcement officer who signed the certification form and to one other witness who was present at the time of the issuance of the certification and called by the licensee. The presence of the certifying officer or officers shall not be required, unless requested by the licensee at the time of making the request for the hearing. The examination of a law enforcement officer shall be restricted to the factual circumstances relied upon in the officer's certification.

(h) (1) If the officer certifies that the person refused the test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was operating or attempting to operate a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto; and

(D) the person refused to submit to and complete a test as requested by a law enforcement officer.

(2) If the officer certifies that the person failed a breath test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was operating a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto;

(D) the testing equipment used was certified by the Kansas department of health and environment;

(E) the person who operated the testing equipment was certified by the Kansas department of health and environment;

(F) the testing procedures used substantially complied with the procedures set out by the Kansas department of health and environment;

(G) the test result determined that the person had an alcohol concentration of .08 or greater in such person's breath; and

(H) the person was operating or attempting to operate a vehicle.

(3) If the officer certifies that the person failed a blood test, the scope of the hearing shall be limited to whether:

(A) A law enforcement officer had reasonable grounds to believe the person was operating a vehicle while under the influence of alcohol or drugs, or both, or had been driving a commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system;

(B) the person was in custody or arrested for an alcohol or drug related offense or was involved in a vehicle accident or collision resulting in property damage, personal injury or death;

(C) a law enforcement officer had presented the person with the oral and written notice required by K.S.A. 8-1001, and amendments thereto;

(D) the testing equipment used was reliable;

(E) the person who operated the testing equipment was qualified;

(F) the testing procedures used were reliable;

(G) the test result determined that the person had an alcohol concentration of .08 or greater in such person's blood; and

(H) the person was operating or attempting to operate a vehicle.

(i) At a hearing pursuant to this section, or upon court review of an order entered at such a hearing, an affidavit of the custodian of records at the Kansas department of health and environment stating that the breath testing device was certified and the operator of such device was certified on the date of the test shall be admissible into evidence in the same manner and with the same force and effect as if the certifying officer or employee of the Kansas department of health and environment had testified in person. A certified operator of a breath testing device shall be competent to testify regarding the proper procedures to be used in conducting the test.

(j) At a hearing pursuant to this section, or upon court review of an order entered at such a hearing, in which the report of blood test results have been prepared by the Kansas bureau of investigation or other forensic laboratory of a state or local law enforcement agency are to be introduced as evidence, the report, or a copy of the report, of the findings of the forensic examiner shall be admissible into evidence in the same manner and with the same force and effect as if the forensic examiner who performed such examination, analysis, comparison or identification and prepared the report thereon had testified in person.

(k) At the hearing, the licensee has the burden of proof by a preponderance of the evidence to show that the facts set out in the officer's certification are false or insufficient and that the order suspending or suspending and restricting the licensee's driving privileges should be dismissed.

(l) Evidence at the hearing shall be limited to the following:

(1) The documents set out in subsection (e);

(2) the testimony of the licensee;

(3) the testimony of any certifying officer;

(4) the testimony of any witness present at the time of the issuance of the certification and called by the licensee;

(5) any affidavits submitted from other witnesses;

(6) any documents submitted by the licensee to show the existence of a medical condition, as described in K.S.A. 8-1001, and amendments thereto; and

(7) any video or audio tape record of the events upon which the administrative

action is based.

(m) After the hearing, the representative of the director shall enter an order affirming the order of suspension or suspension and restriction of driving privileges or for good cause appearing therefor, dismiss the administrative action. If the representative of the director enters an order affirming the order of suspension or suspension and restriction of driving privileges, the suspension or suspension and restriction shall begin on the 30th day after the effective date of the order of suspension or suspension and restriction. If the person whose privileges are suspended is a nonresident licensee, the license of the person shall be forwarded to the appropriate licensing authority in the person's state of residence if the result at the hearing is adverse to such person or if no timely request for a hearing is received.

(n) The representative of the director may issue an order at the close of the hearing or may take the matter under advisement and issue a hearing order at a later date. If the order is made at the close of the hearing, the licensee or the licensee's attorney shall be served with a copy of the order by the representative of the director. If the matter is taken under advisement or if the hearing was by telephone conference call, the licensee and any attorney who appeared at the administrative hearing upon behalf of the licensee each shall be served with a copy of the hearing order by mail. Any law enforcement officer who appeared at the hearing also may be mailed a copy of the hearing order. The effective date of the hearing order shall be the date upon which the hearing order is served, whether served in person or by mail.

(o) The licensee may file a petition for review of the hearing order pursuant to K.S.A. 8-259, and amendments thereto. Upon filing a petition for review, the licensee shall serve the secretary of revenue with a copy of the petition and summons. Upon receipt of a copy of the petition for review by the secretary, the temporary license issued pursuant to subsection (b) shall be extended until the decision on the petition for review is final.

(p) Such review shall be in accordance with this section and the Kansas judicial review act. To the extent that this section and any other provision of law conflicts, this section shall prevail. The petition for review shall be filed within 14 days after the effective date of the order. Venue of the action for review is the county where the person was arrested or the accident occurred, or, if the hearing was not conducted by telephone conference call, the county where the administrative proceeding was held. The action for review shall be by trial *de novo* to the court and the evidentiary restrictions of subsection (l) shall not apply to the trial *de novo*. The court shall take testimony, examine the facts of the case and determine whether the petitioner is entitled to driving privileges or whether the petitioner's driving privileges are subject to suspension or suspension and restriction under the provisions of this act. If the court finds that the grounds for action by the agency have been met, the court shall affirm the agency action.

(q) Upon review, the licensee shall have the burden to show that the decision of the agency should be set aside.

(r) Notwithstanding the requirement to issue a temporary license in K.S.A. 8-1002, and amendments thereto, and the requirements to extend the temporary license in this section, any such temporary driving privileges are subject to restriction, suspension, revocation or cancellation as provided in K.S.A. 8-1014, and amendments thereto, or for other cause.

(s) Upon motion by a party, or on the court's own motion, the court may enter an order restricting the driving privileges allowed by the temporary license provided for in K.S.A. 8-1002, and amendments thereto, and in this section. The temporary license also shall be subject to restriction, suspension, revocation or cancellation, as set out in K.S.A. 8-1014, and amendments thereto, or for other cause.

(t) The facts found by the hearing officer or by the district court upon a petition for review shall be independent of the determination of the same or similar facts in the adjudication of any criminal charges arising out of the same occurrence. The disposition of those criminal charges shall not affect the suspension or suspension and restriction to be imposed under this section.

(u) All notices affirming or canceling a suspension under this section, all notices of a hearing held under this section and all issuances of temporary driving privileges pursuant to this section shall be sent by first-class mail and a United States post office certificate of mailing shall be obtained therefor. All notices so mailed shall be deemed received three days after mailing, except that this provision shall not apply to any licensee where such application would result in a manifest injustice.

(v) The provisions of K.S.A. 60-206, and amendments thereto, regarding the computation of time shall be applicable in determining the time for requesting an administrative hearing as set out in subsection (a) and to the time for filing a petition for review pursuant to subsection (o) and K.S.A. 8-259, and amendments thereto.

Sec. 19. K.S.A. 8-1501 is hereby amended to read as follows: 8-1501. The provisions of this article relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

(a) Where a different place is specifically referred to in a given section; and

(b) The provisions of K.S.A. 8-1566 to 8-1568, inclusive, section 2 and the provisions of article 10 of chapter 8 of the Kansas Statutes Annotated, and ~~any acts amendatory thereof~~ amendments thereto, shall apply upon highways and elsewhere throughout the state.

Sec. 20. K.S.A. 2011 Supp. 8-1567 is hereby amended to read as follows: 8-1567.

(a) Driving under the influence is operating or attempting to operate any vehicle within this state while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in paragraph (1) of subsection (f) of K.S.A. 8-1013, and amendments thereto, is .08 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of operating or attempting to operate a vehicle, is .08 or more;

(3) under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle;

(4) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle; or

(5) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely driving a vehicle; ~~or~~

~~(6) The person is a habitual user of any narcotic, hypnotic, somnifacient or stimulating drug.~~

(b)(1) Driving under the influence is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months'

imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the remainder of the ~~minimum~~ sentence only after such person has served 48 consecutive hours' imprisonment;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(C) on a third conviction a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(D). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240-2,160~~ hours of confinement. Such ~~240-2,160~~ hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's

location. The offender shall serve a minimum of ~~240-2,160~~ hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240-2,160~~ hours;

(D) on a third conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240-2,160~~ hours of confinement. Such ~~240-2,160~~ hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240-2,160~~ hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the ~~240-2,160~~ hours; and

(E) on a fourth or subsequent conviction a nonperson ~~felon-felony~~. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this ~~paragraph~~ subsection may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of ~~240-2,160~~ hours of confinement. Such ~~240-2,160~~ hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto, to serve the ~~remainder of the minimum sentence~~ 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of ~~240-2,160~~ hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall

not be counted as part of the ~~240-2,160~~ hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(D) or (b)(1)(E) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2011 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(C), (b)(1)(D) or (b)(1)(E), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2011 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a department of social and rehabilitation services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)

(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

~~(g) (1) Except as provided in paragraph (5), in addition to any other penalty which may be imposed upon a first conviction of a violation of this section, the court may order that the convicted person's motor vehicle or vehicles be impounded or immobilized for a period not to exceed one year and that the convicted person pay all towing, impoundment and storage fees or other immobilization costs.~~

~~(2) The court shall not order the impoundment or immobilization of a motor vehicle driven by a person convicted of a violation of this section if the motor vehicle had been stolen or converted at the time it was driven in violation of this section.~~

~~(3) Prior to ordering the impoundment or immobilization of a motor vehicle or vehicles owned by a person convicted of a violation of this section, the court shall consider, but not be limited to, the following:~~

~~(A) Whether the impoundment or immobilization of the motor vehicle would result in the loss of employment by the convicted person or a member of such person's family; and~~

~~(B) whether the ability of the convicted person or a member of such person's family to attend school or obtain medical care would be impaired.~~

~~(4) Any personal property in a vehicle impounded or immobilized pursuant to this subsection may be retrieved prior to or during the period of such impoundment or~~

immobilization.

~~(5) As used in this subsection, the convicted person's motor vehicle or vehicles shall include any vehicle leased by such person. If the lease on the convicted person's motor vehicle subject to impoundment or immobilization expires in less than one year from the date of the impoundment or immobilization, the time of impoundment or immobilization of such vehicle shall be the amount of time remaining on the lease.~~

~~(h)(g)~~ Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

~~(i)(h)~~ The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

~~(j)(i)~~ For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

~~(1) "Conviction" includes being convicted of a violation of this section or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;~~

~~(2) "conviction" includes being convicted of a violation of a law of another state or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;~~

~~(3) only convictions occurring on or after July 1, 2001, shall be taken into account when determining the sentence to be imposed for a first, second, third, fourth or subsequent offender;~~

(1) Convictions for a violation of this section, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) Refusing to submit to a test to determine the presence of alcohol or drugs, section 2, and amendments thereto; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto; and (E)

aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (i)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (i)(1) or (i)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (i)(1) or (i)(2) if committed off a military reservation in this state;

(4) multiple convictions of any crime described in subsection (i)(1) or (i)(2) arising from the same arrest shall only be counted as one conviction;

~~(4)(5)~~ it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

~~(5)(6)~~ a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, and amendments thereto, or an ordinance which prohibits the acts of this section, and amendments thereto, only once during the person's lifetime.

~~(6)(j)~~ Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

~~(7)(k)~~ (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) On and after July 1, 2007, and retroactive for ordinance violations committed on or after July 1, 2006, an ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

~~(5) Any such ordinance or resolution may require or authorize the court to order that the convicted person's motor vehicle or vehicles be impounded or immobilized in accordance with subsection (g).~~

~~(6)(l)~~ (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

~~(m)~~(m) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 *et seq.* or 22-2906 *et seq.*, and amendments thereto, shall not constitute plea bargaining.

~~(n)~~(n) The alternatives set out in subsections (a)(1), (a)(2) and (a)(3) may be pleaded in the alternative, and the state, city or county, but shall not be required to, may elect one or two of the three prior to submission of the case to the fact finder.

~~(p)~~ Upon a fourth or subsequent conviction, the judge of any court in which any person is convicted of violating this section, may revoke the person's license plate or temporary registration certificate of the motor vehicle driven during the violation of this section for a period of one year. Upon revoking any license plate or temporary registration certificate pursuant to this subsection, the court shall require that such license plate or temporary registration certificate be surrendered to the court.

~~(o)~~(o) As used in this section: (1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 2011 Supp. 21-5712, and amendments thereto.

~~(p)~~(p) (1) The amount of the increase in fines as specified in this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of remittance of the increase provided in this act, the state treasurer shall deposit the entire amount in the state treasury and the state treasurer shall credit 50% to the community alcoholism and intoxication programs fund and 50% to the department of corrections alcohol and drug abuse treatment fund, which is hereby created in the state treasury.

(2) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2011 Supp. 75-52,113, and amendments thereto.

Sec. 21. K.S.A. 2011 Supp. 12-4106 is hereby amended to read as follows: 12-

4106. (a) The municipal judge shall have the power to administer the oaths and enforce all orders, rules and judgments made by such municipal judge, and may fine or imprison for contempt in the same manner and to the same extent as a judge of the district court.

(b) The municipal judge shall have the power to hear and determine all cases properly brought before such municipal judge to: Grant continuances; sentence those found guilty to a fine or confinement in jail, or both; commit accused persons to jail in default of bond; determine applications for parole; release on probation; grant time in which a fine may be paid; correct a sentence; suspend imposition of a sentence; set aside a judgment; permit time for post trial motions; and discharge accused persons.

(c) The municipal judge shall maintain a docket in which every cause commenced before such municipal judge shall be entered. Such docket shall contain the names of the accused persons and complainant, the nature or character of the offense, the date of trial, the names of all witnesses sworn and examined, the finding of the court, the judgment and sentence, the date of payment, the date of issuing commitment, if any, and every other fact necessary to show the full proceedings in each case.

(d) The municipal judge shall promptly make such reports and furnish the information requested by any departmental justice or the judicial administrator, in the manner and form prescribed by the supreme court.

(e) The municipal judge shall ensure that information concerning dispositions of city ordinance violations that result in convictions comparable to convictions for class A and B misdemeanors under Kansas criminal statutes is forwarded to the Kansas bureau of investigation central repository. This information shall be transmitted, on a form or in a format approved by the attorney general, within 30 days of final disposition.

(f) In all cases alleging a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court reports the filing and disposition of such case to the Kansas bureau of investigation central repository, and, on and after July 1, 2013, reports the filing and disposition of such case electronically to the Kansas bureau of investigation central repository.

(g) In all cases in which a fine is imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, the municipal court judge shall ensure that the municipal court remits the appropriate amount of such fine to the state treasurer as provided in section 1, and amendments thereto.

Sec. 22. K.S.A. 12-4413 is hereby amended to read as follows: 12-4413. As used in K.S.A. 8-1009; and 12-4413 to 12-4418, inclusive ~~and 22-3609~~:

(a) "City attorney" means a city attorney of a city of this state.

(b) "Complaint" means complaint, citation or notice to appear in a municipal court.

(c) "Diversion" means referral of a defendant in a criminal case charging an alcohol related offense to a supervised performance program prior to adjudication.

(d) "Diversion agreement" means the specification of formal terms and conditions which a defendant must fulfill in order to have the charges against such person dismissed.

(e) "Alcohol related offense" means violation of an ordinance of a city of this state that prohibits the acts prohibited by K.S.A. 8-1567 or section 2, and amendments thereto, or violation of such statute.

Sec. 23. K.S.A. 2011 Supp. 12-4414 is hereby amended to read as follows: 12-4414. (a) Except as provided in K.S.A. 8-1567 and section 2, and amendments thereto, after a complaint has been filed charging a defendant with violation of an alcohol or drug related offense and prior to conviction thereof, and after the city attorney has considered the factors listed in K.S.A. 12-4415, and amendments thereto, if it appears to the city attorney that diversion of the defendant would be in the interests of justice and of benefit to the defendant and the community, the city attorney may propose a diversion agreement to the defendant. The terms of each diversion agreement shall be established by the city attorney in accordance with K.S.A. 12-4416, and amendments thereto.

(b) Each city attorney shall adopt written policies and guidelines for the implementation of a diversion program in accordance with K.S.A. 8-1009 and 12-4412 to 12-4417, inclusive, and amendments thereto. Such policies and guidelines shall provide for a diversion conference and other procedures in those cases where the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint.

(c) Each defendant shall be informed in writing of the diversion program and the policies and guidelines adopted by the city attorney. The city attorney may require any defendant requesting diversion to provide information regarding prior criminal charges, education, work experience and training, family, residence in the community, medical history, including any psychiatric or psychological treatment or counseling, and other information relating to the diversion program. In all cases, the defendant shall be present and shall have the right to be represented by counsel at the diversion conference with the city attorney.

Sec. 24. K.S.A. 2011 Supp. 12-4415 is hereby amended to read as follows: 12-4415. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the city attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender of an alcohol related offense and if the defendant has previously participated in diversion, according to the certification of the division of vehicles of the state department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A city attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an alcohol related offense if the defendant:

- (1) Has previously participated in diversion of an alcohol related offense;
- (2) has previously been convicted of or pleaded *nolo contendere* to an alcohol

related offense in this state or has previously been convicted of or pleaded *nolo contendere* to a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or of a law of another state, or of a political subdivision thereof, which prohibits the acts prohibited by those statutes; or

(3) during the time of the alleged alcohol related offense was involved in a motor vehicle accident or collision resulting in personal injury or death.

Sec. 25. K.S.A. 2011 Supp. 12-4416 is hereby amended to read as follows: 12-4416. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the city attorney, the city attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to counsel, a speedy arraignment, a speedy trial, and the right to trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services. The diversion agreement shall state:

- (1) The defendant's full name;
- (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name;
- (3) the defendant's sex, race and date of birth;
- (4) the crime with which the defendant is charged;
- (5) the date the complaint was filed; and
- (6) the municipal court with which the agreement is filed.

(b) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging an alcohol related offense, the diversion agreement shall include a stipulation, agreed to by the defendant and the city attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, consonant with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(c) If the person entering into a diversion agreement is a nonresident, the city attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(d) If the city attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the municipal court and

the municipal court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the municipal court shall resume the criminal proceedings on the complaint.

(e) The city attorney shall forward to the division of vehicles of the state department of revenue a copy of the diversion agreement at the time such agreement is filed with the municipal court. The copy of the agreement shall be made available upon request to any county, district or city attorney or court.

Sec. 26. K.S.A. 2011 Supp. 12-4517 is hereby amended to read as follows: 12-4517. (a) (1) The municipal court judge shall ensure that all persons convicted of violating municipal ordinance provisions that prohibit conduct comparable to a class A or B misdemeanor or assault as defined in subsection (a) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, under a Kansas criminal statute are fingerprinted and processed.

(2) The municipal court judge shall ensure that all persons arrested or charged with a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, are fingerprinted and processed at the time of booking or first appearance, whichever occurs first.

(b) The municipal court judge shall order the individual to be fingerprinted at an appropriate location as determined by the municipal court judge. Failure of the person to be fingerprinted after court order issued by the municipal judge shall constitute contempt of court. To reimburse the city or other entity for costs associated with fingerprinting, the municipal court judge may assess reasonable court costs, in addition to other court costs imposed by the state or municipality.

Sec. 27. K.S.A. 2011 Supp. 21-5203 is hereby amended to read as follows: 21-5203. A person may be guilty of a crime without having a culpable mental state if the crime is:

(a) A misdemeanor, cigarette or tobacco infraction or traffic infraction and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

(b) a felony and the statute defining the crime clearly indicates a legislative purpose to impose absolute liability for the conduct described;

(c) a violation of K.S.A. 8-1567 or 8-1567a, and amendments thereto;

(d) a violation of K.S.A. 8-2,144, and amendments thereto; ~~or~~

(e) a violation of section 2, and amendments thereto; or

~~(e)(f)~~ a violation of K.S.A. 22-4901 *et seq.*, and amendments thereto.

Sec. 28. K.S.A. 2011 Supp. 21-6604, as amended by section 1 of 2012 House Bill No. 2465 is hereby amended to read as follows: 21-6604. K.S.A. 2011 Supp. 21-6604 is hereby amended to read as follows: 21-6604. (a) Whenever any person has been found guilty of a crime, the court may adjudge any of the following:

(1) Commit the defendant to the custody of the secretary of corrections if the current crime of conviction is a felony and the sentence presumes imprisonment, or the sentence imposed is a dispositional departure to imprisonment; or, if confinement is for a misdemeanor, to jail for the term provided by law;

(2) impose the fine applicable to the offense and may impose the provisions of subsection (q);

(3) release the defendant on probation if the current crime of conviction and criminal history fall within a presumptive nonprison category or through a departure for

substantial and compelling reasons subject to such conditions as the court may deem appropriate. In felony cases except for violations of K.S.A. 8-1567, 8-2,144 and section 2, and amendments thereto, the court may include confinement in a county jail not to exceed 60 days, which need not be served consecutively, as a condition of an original probation sentence and up to 60 days in a county jail upon each revocation of the probation sentence, or community corrections placement;

(4) assign the defendant to a community correctional services program as provided in K.S.A. 75-5291, and amendments thereto, or through a departure for substantial and compelling reasons subject to such conditions as the court may deem appropriate, including orders requiring full or partial restitution;

(5) assign the defendant to a conservation camp for a period not to exceed six months as a condition of probation followed by a six-month period of follow-up through adult intensive supervision by a community correctional services program, if the offender successfully completes the conservation camp program;

(6) assign the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto;

(7) order the defendant to attend and satisfactorily complete an alcohol or drug education or training program as provided by subsection (c) of K.S.A. 2011 Supp. 21-6602, and amendments thereto;

(8) order the defendant to repay the amount of any reward paid by any crime stoppers chapter, individual, corporation or public entity which materially aided in the apprehension or conviction of the defendant; repay the amount of any costs and expenses incurred by any law enforcement agency in the apprehension of the defendant, if one of the current crimes of conviction of the defendant includes escape from custody or aggravated escape from custody, as defined in K.S.A. 2011 Supp. 21-5911, and amendments thereto; repay expenses incurred by a fire district, fire department or fire company responding to a fire which has been determined to be arson or aggravated arson as defined in K.S.A. 2011 Supp. 21-5812, and amendments thereto, if the defendant is convicted of such crime; repay the amount of any public funds utilized by a law enforcement agency to purchase controlled substances from the defendant during the investigation which leads to the defendant's conviction; or repay the amount of any medical costs and expenses incurred by any law enforcement agency or county. Such repayment of the amount of any such costs and expenses incurred by a county, law enforcement agency, fire district, fire department or fire company or any public funds utilized by a law enforcement agency shall be deposited and credited to the same fund from which the public funds were credited to prior to use by the county, law enforcement agency, fire district, fire department or fire company;

(9) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court;

(10) order the defendant to pay a domestic violence special program fee authorized by K.S.A. 20-369, and amendments thereto;

(11) if the defendant is convicted of a misdemeanor or convicted of a felony specified in subsection (i) of K.S.A. 2011 Supp. 21-6804, and amendments thereto, assign the defendant to work release program, other than a program at a correctional institution under the control of the secretary of corrections as defined in K.S.A. 75-5202, and amendments thereto, provided such work release program requires such defendant to return to confinement at the end of each day in the work release program.

On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program ~~must serve a total of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day.~~ On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed into a work release program must serve a total of 240 hours of confinement. Such 240 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day shall serve the total number of hours of confinement mandated by that section;

(12) order the defendant to pay the full amount of unpaid costs associated with the conditions of release of the appearance bond under K.S.A. 22-2802, and amendments thereto;

(13) impose any appropriate combination of (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12); or

(14) suspend imposition of sentence in misdemeanor cases.

(b) (1) In addition to or in lieu of any of the above, the court shall order the defendant to pay restitution, which shall include, but not be limited to, damage or loss caused by the defendant's crime, unless the court finds compelling circumstances which would render a plan of restitution unworkable. In regard to a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, such damage or loss shall include, but not be limited to, attorney fees and costs incurred to repair the credit history or rating of the person whose personal identification documents were obtained and used in violation of such section, and to satisfy a debt, lien or other obligation incurred by the person whose personal identification documents were obtained and used in violation of such section. If the court finds a plan of restitution unworkable, the court shall state on the record in detail the reasons therefor.

(2) If the court orders restitution, the restitution shall be a judgment against the defendant which may be collected by the court by garnishment or other execution as on judgments in civil cases. If, after 60 days from the date restitution is ordered by the court, a defendant is found to be in noncompliance with the plan established by the court for payment of restitution, and the victim to whom restitution is ordered paid has not initiated proceedings in accordance with K.S.A. 60-4301 *et seq.*, and amendments thereto, the court shall assign an agent procured by the attorney general pursuant to K.S.A. 75-719, and amendments thereto, to collect the restitution on behalf of the victim. The chief judge of each judicial district may assign such cases to an appropriate division of the court for the conduct of civil collection proceedings.

(c) In addition to or in lieu of any of the above, the court shall order the defendant to submit to and complete an alcohol and drug evaluation, and pay a fee therefor, when required by subsection (d) of K.S.A. 2011 Supp. 21-6602, and amendments thereto.

(d) In addition to any of the above, the court shall order the defendant to reimburse the county general fund for all or a part of the expenditures by the county to provide counsel and other defense services to the defendant. Any such reimbursement to the county shall be paid only after any order for restitution has been paid in full. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum

and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.

(e) In releasing a defendant on probation, the court shall direct that the defendant be under the supervision of a court services officer. If the court commits the defendant to the custody of the secretary of corrections or to jail, the court may specify in its order the amount of restitution to be paid and the person to whom it shall be paid if restitution is later ordered as a condition of parole, conditional release or postrelease supervision.

(f) (1) When a new felony is committed while the offender is incarcerated and serving a sentence for a felony, or while the offender is on probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision for a felony, a new sentence shall be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(2) When a new felony is committed while the offender is incarcerated in a juvenile correctional facility pursuant to K.S.A. 38-1671, prior to its repeal, or K.S.A. 2011 Supp. 38-2373, and amendments thereto, for an offense, which if committed by an adult would constitute the commission of a felony, upon conviction, the court shall sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure. The conviction shall operate as a full and complete discharge from any obligations, except for an order of restitution, imposed on the offender arising from the offense for which the offender was committed to a juvenile correctional facility.

(3) When a new felony is committed while the offender is on release for a felony pursuant to the provisions of article 28 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, or similar provisions of the laws of another jurisdiction, a new sentence may be imposed pursuant to the consecutive sentencing requirements of K.S.A. 2011 Supp. 21-6606, and amendments thereto, and the court may sentence the offender to imprisonment for the new conviction, even when the new crime of conviction otherwise presumes a nonprison sentence. In this event, imposition of a prison sentence for the new crime does not constitute a departure.

(g) Prior to imposing a dispositional departure for a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, prior to sentencing a defendant to incarceration whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, prior to revocation of a nonprison sanction of a defendant whose offense is classified in grid blocks 4-E or 4-F of the sentencing guideline grid for drug crimes and whose offense

does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto, or prior to revocation of a nonprison sanction of a defendant whose offense is classified in the presumptive nonprison grid block of either sentencing guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, the court shall consider placement of the defendant in the Labette correctional conservation camp, conservation camps established by the secretary of corrections pursuant to K.S.A. 75-52,127, and amendment thereto, or a community intermediate sanction center. Pursuant to this paragraph the defendant shall not be sentenced to imprisonment if space is available in a conservation camp or a community intermediate sanction center and the defendant meets all of the conservation camp's or a community intermediate sanction center's placement criteria unless the court states on the record the reasons for not placing the defendant in a conservation camp or a community intermediate sanction center.

(h) The court in committing a defendant to the custody of the secretary of corrections shall fix a term of confinement within the limits provided by law. In those cases where the law does not fix a term of confinement for the crime for which the defendant was convicted, the court shall fix the term of such confinement.

(i) In addition to any of the above, the court shall order the defendant to reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less.

(j) This section shall not deprive the court of any authority conferred by any other Kansas statute to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty as a result of conviction of crime.

(k) An application for or acceptance of probation or assignment to a community correctional services program shall not constitute an acquiescence in the judgment for purpose of appeal, and any convicted person may appeal from such conviction, as provided by law, without regard to whether such person has applied for probation, suspended sentence or assignment to a community correctional services program.

(l) The secretary of corrections is authorized to make direct placement to the Labette correctional conservation camp or a conservation camp established by the secretary pursuant to K.S.A. 75-52,127, and amendments thereto, of an inmate sentenced to the secretary's custody if the inmate:

(1) Has been sentenced to the secretary for a probation revocation, as a departure

from the presumptive nonimprisonment grid block of either sentencing grid, for an offense which is classified in grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes, or for an offense which is classified in grid blocks 4-E or 4-F of the sentencing guidelines grid for drug crimes and such offense does not meet the requirements of K.S.A. 2011 Supp. 21-6824, and amendments thereto; and

(2) otherwise meets admission criteria of the camp.

If the inmate successfully completes a conservation camp program, the secretary of corrections shall report such completion to the sentencing court and the county or district attorney. The inmate shall then be assigned by the court to six months of follow-up supervision conducted by the appropriate community corrections services program. The court may also order that supervision continue thereafter for the length of time authorized by K.S.A. 2011 Supp. 21-6608, and amendments thereto.

(m) When it is provided by law that a person shall be sentenced pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of this section shall not apply.

(n) Except as provided by subsection (f) of K.S.A. 2011 Supp. 21-6805, and amendments thereto, in addition to any of the above, for felony violations of K.S.A. 2011 Supp. 21-5706, and amendments thereto, the court shall require the defendant who meets the requirements established in K.S.A. 2011 Supp. 21-6824, and amendments thereto, to participate in a certified drug abuse treatment program, as provided in K.S.A. 2011 Supp. 75-52,144, and amendments thereto, including, but not limited to, an approved after-care plan. If the defendant fails to participate in or has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding, the defendant shall be subject to revocation of probation and the defendant shall serve the underlying prison sentence as established in K.S.A. 2011 Supp. 21-6805, and amendments thereto. For those offenders who are convicted on or after July 1, 2003, upon completion of the underlying prison sentence, the defendant shall not be subject to a period of postrelease supervision. The amount of time spent participating in such program shall not be credited as service on the underlying prison sentence.

(o) (1) Except as provided in paragraph (3), in addition to any other penalty or disposition imposed by law, upon a conviction for unlawful possession of a controlled substance or controlled substance analog in violation of K.S.A. 2011 Supp. 21-5706, and amendments thereto, in which the trier of fact makes a finding that the unlawful possession occurred while transporting the controlled substance or controlled substance analog in any vehicle upon a highway or street, the offender's driver's license or privilege to operate a motor vehicle on the streets and highways of this state shall be suspended for one year.

(2) Upon suspension of a license pursuant to this subsection, the court shall require the person to surrender the license to the court, which shall transmit the license to the division of motor vehicles of the department of revenue, to be retained until the period of suspension expires. At that time, the licensee may apply to the division for return of the license. If the license has expired, the person may apply for a new license, which shall be issued promptly upon payment of the proper fee and satisfaction of other conditions established by law for obtaining a license unless another suspension or revocation of the person's privilege to operate a motor vehicle is in effect.

(3) (A) In lieu of suspending the driver's license or privilege to operate a motor

vehicle on the highways of this state of any person as provided in paragraph (1), the judge of the court in which such person was convicted may enter an order which places conditions on such person's privilege of operating a motor vehicle on the highways of this state, a certified copy of which such person shall be required to carry any time such person is operating a motor vehicle on the highways of this state. Any such order shall prescribe the duration of the conditions imposed, which in no event shall be for a period of more than one year.

(B) Upon entering an order restricting a person's license hereunder, the judge shall require such person to surrender such person's driver's license to the judge who shall cause it to be transmitted to the division of vehicles, together with a copy of the order. Upon receipt thereof, the division of vehicles shall issue without charge a driver's license which shall indicate on its face that conditions have been imposed on such person's privilege of operating a motor vehicle and that a certified copy of the order imposing such conditions is required to be carried by the person for whom the license was issued any time such person is operating a motor vehicle on the highways of this state. If the person convicted is a nonresident, the judge shall cause a copy of the order to be transmitted to the division and the division shall forward a copy of it to the motor vehicle administrator, of such person's state of residence. Such judge shall furnish to any person whose driver's license has had conditions imposed on it under this paragraph a copy of the order, which shall be recognized as a valid Kansas driver's license until such time as the division shall issue the restricted license provided for in this paragraph.

(C) Upon expiration of the period of time for which conditions are imposed pursuant to this subsection, the licensee may apply to the division for the return of the license previously surrendered by such licensee. In the event such license has expired, such person may apply to the division for a new license, which shall be issued immediately by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless such person's privilege to operate a motor vehicle on the highways of this state has been suspended or revoked prior thereto. If any person shall violate any of the conditions imposed under this paragraph, such person's driver's license or privilege to operate a motor vehicle on the highways of this state shall be revoked for a period of not less than 60 days nor more than one year by the judge of the court in which such person is convicted of violating such conditions.

(4) As used in this subsection, "highway" and "street" means the same as in K.S.A. 8-1424 and 8-1473, and amendments thereto.

(p) In addition to any of the above, for any criminal offense that includes the domestic violence designation pursuant to K.S.A. 2011 Supp. 22-4616, and amendments thereto, the court shall require the defendant to undergo a domestic violence offender assessment and follow all recommendations unless otherwise ordered by the court or the department of corrections. The court may order a domestic violence offender assessment and any other evaluation prior to sentencing if the assessment or evaluation would assist the court in determining an appropriate sentence. The entity completing the assessment or evaluation shall provide the assessment or evaluation and recommendations to the court and the court shall provide the domestic violence assessment and any other evaluation to any entity responsible for supervising such defendant. A defendant ordered to undergo a domestic violence offender assessment shall be required to pay for the assessment and, unless otherwise ordered by the court or the department of corrections, for completion of all recommendations.

(q) In imposing a fine, the court may authorize the payment thereof in installments. In lieu of payment of any fine imposed, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed by the later of one year after the fine is imposed or one year after release from imprisonment or jail, or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance shall become due on that date. If conditional reduction of any fine is rescinded by the court for any reason, then pursuant to the court's order the person may be ordered to perform community service by one year after the date of such rescission or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date. All credits for community service shall be subject to review and approval by the court.

(r) In addition to any other penalty or disposition imposed by law, for any defendant sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2011 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the court shall order that the defendant be electronically monitored upon release from imprisonment for the duration of the defendant's natural life and that the defendant shall reimburse the state for all or part of the cost of such monitoring as determined by the prisoner review board.

Sec. 29. K.S.A. 2011 Supp. 21-6609, as amended by section 5 of 2012 House Bill No. 2535 is hereby amended to read as follows: 21-6609. (a) The court or the secretary of corrections may implement a house arrest program for defendants or inmates being sentenced by the court or in the custody of the secretary of corrections or as a sanction for offenders who have failed to comply with the conditions of probation, parole or postrelease supervision, except:

- (1) No defendant shall be placed by the court under house arrest if found guilty of:
 - (A) Any crime designated as a class A or B felony in article 34 or 35 of the Kansas Statutes Annotated, prior to their repeal;
 - (B) subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto;
 - (C) K.S.A. 2011 Supp. 21-5602, and amendments thereto;
 - (D) any off-grid felony; or
 - (E) any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, unless the offender has been sentenced to probation;
 - (2) no inmate shall be placed under house arrest if such inmate's security status is greater than minimum security; or
 - (3) no inmate shall be placed under house arrest who has been denied parole by the prisoner review board within the last six months. Any inmate who, while participating in the house arrest program, is denied parole by the prisoner review board shall be allowed to remain under house arrest until the completion of the sentence or until the inmate is otherwise removed from the program.
- (b) At the time of placement of an inmate under house arrest, the court, secretary or house arrest staff shall provide written notification to the sheriff and district or county

attorney of the county in which any person under house arrest is to be placed and to the chief law enforcement officer of any incorporated city or town in which such person is to be placed of the placement of the person under house arrest within the county or incorporated city or town.

(c) House arrest sanctions shall be administered by the court and the secretary of corrections, respectively, through rules and regulations, and may include, but are not limited to, rehabilitative restitution in money or in kind, curfew, revocation or suspension of the driver's license, community service, deprivation of nonessential activities or privileges, or other appropriate restraints on the inmate's liberty.

(d) Upon placement in a house arrest program, the court, secretary or house arrest staff shall inform the offender, and any other people residing with such offender, of the nature and extent of such house arrest monitoring, and shall obtain the written agreement of such offender to comply with all requirements of the program.

(e) The offender shall remain within the property boundaries of the offender's residence at all times during the term of house arrest, except as provided under the house arrest agreement with such offender.

(f) The offender shall allow any law enforcement officer, community corrections officer, court services officer or duly authorized agent of the department of corrections, to enter such offender's residence at any time to verify the offender's compliance with the conditions of the house release.

(g) As a condition of house arrest, the court or secretary may require an offender placed under house arrest to pay any supervision costs associated with the house arrest program.

(h) The offender shall consent to be monitored by:

- (1) An electronic monitoring device on such offender's person;
- (2) an electronic monitoring device in such offender's home;
- (3) a remote blood alcohol monitoring device;
- (4) a home telephone verification procedure;
- (5) radio frequency devices; or

(6) any combination of monitoring methods as the court, secretary or house arrest staff finds necessary.

(i) The secretary or the court may contract for independent monitoring services. Such independent monitoring service shall be able to provide monitoring 24 hours a day, every day of the year, and any other services as determined by the secretary or the court.

(j) An offender violating the provisions of K.S.A. 8-1567, and amendments thereto, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. On a second or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed under house arrest shall serve ~~a total of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours.~~ On a third or subsequent conviction of K.S.A. 8-1567, and amendments thereto, an offender placed under house arrest shall serve a total of 240 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 240 hours the total number of hours of confinement

mandated by that section.

(k) As used in this section:

(1) "House arrest staff" means an independent contractor or government entity, and agents thereof, utilized by the secretary or court to administer the provisions of a house arrest program;

(2) "electronic monitoring device" means:

(A) An active or passive global positioning system-enabled device capable of recording and transmitting an offender's location at all times or at designated intervals. Such monitoring device may record or transmit sound, visual images or other information regarding such offender's location, via wireless communication; or

(B) a radio frequency device capable of monitoring an offender's location; and

(3) "remote alcohol monitoring device" means a device capable of monitoring an offender's blood alcohol content via micro fuel cell or deep lung tissue sample. Such monitoring devices shall be of comparable accuracy to roadside breath alcohol testing devices utilized by law enforcement, and shall have wireless or landline telephone transmission capabilities. Such device may be used in conjunction with an alcohol and drug-sensing bracelet to monitor such offender's compliance with the terms of house arrest.

Sec. 30. K.S.A. 2011 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - ~~NONDRUG~~ OFFENSES

Category	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 30
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	6 5 4

LEGEND

Presumptive Probation
Presumptive Fine
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;

(B) maximum potential reduction to such sentence as a result of good time;

and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and

(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of subsection (d) of K.S.A. 2011 Supp. 21-5412, and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any person felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (l) The sentence for the violation of the felony provision of K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall be as provided by the specific mandatory sentencing requirements of that section and shall

not be subject to the provisions of this section or K.S.A. 2011 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2011 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2011 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of section 2, K.S.A. 8-2,144, K.S.A. 8-1567, subsection (b)(3) of K.S.A. 2011 Supp. 21-5414, subsections (b)(3) and (b)(4) of K.S.A. 2011 Supp. 21-5823, 21-6412 and 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of section 2 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by gang members, the offender's sentence shall be presumed imprisonment. The court may

impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, ~~and amendments thereto prior to their transfer~~, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, ~~and amendments thereto prior to their transfer~~, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of subsection (a)(1) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of subsection (a) or (b) of K.S.A. 21-3715, prior to its repeal, 21-3716, prior to its repeal, subsection (a)(1) or (a)(2) of K.S.A. 2011 Supp. 21-5807, or subsection (b) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or subsection (a)(2) of K.S.A. 2011 Supp. 21-5913, and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of subsection (b) of K.S.A. 21-3705, prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2011 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated

burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of subsection (f)(1) of K.S.A. 2011 Supp. 21-6824, and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in subsection (a) of K.S.A. 2011 Supp. 21-5807, and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2011 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2011 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

- (1) Substance abuse was an underlying factor in the commission of the crime;
- (2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and
- (3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less

severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

- (1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- (2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or
- (3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of subsection (c)(2) of K.S.A. 2011 Supp. 21-5413, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2011 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2011 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2011 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

Sec. 31. K.S.A. 2011 Supp. 22-2802 is hereby amended to read as follows: 22-2802. (1) Any person charged with a crime shall, at the person's first appearance before a magistrate, be ordered released pending preliminary examination or trial upon the execution of an appearance bond in an amount specified by the magistrate and sufficient to assure the appearance of such person before the magistrate when ordered and to

assure the public safety. If the person is being bound over for a felony, the bond shall also be conditioned on the person's appearance in the district court or by way of a two-way electronic audio-video communication as provided in subsection (14) at the time required by the court to answer the charge against such person and at any time thereafter that the court requires. Unless the magistrate makes a specific finding otherwise, if the person is being bonded out for a person felony or a person misdemeanor, the bond shall be conditioned on the person being prohibited from having any contact with the alleged victim of such offense for a period of at least 72 hours. The magistrate may impose such of the following additional conditions of release as will reasonably assure the appearance of the person for preliminary examination or trial:

(a) Place the person in the custody of a designated person or organization agreeing to supervise such person;

(b) place restrictions on the travel, association or place of abode of the person during the period of release;

(c) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody during specified hours;

(d) place the person under a house arrest program pursuant to K.S.A. 2011 Supp. 21-6609, and amendments thereto; or

(e) place the person under the supervision of a court services officer responsible for monitoring the person's compliance with any conditions of release ordered by the magistrate. The magistrate may order the person to pay for any costs associated with the supervision provided by the court services department in an amount not to exceed \$15 per week of such supervision. The magistrate may also order the person to pay for all other costs associated with the supervision and conditions for compliance in addition to the \$15 per week.

(2) In addition to any conditions of release provided in subsection (1), for any person charged with a felony, the magistrate may order such person to submit to a drug and alcohol abuse examination and evaluation in a public or private treatment facility or state institution and, if determined by the head of such facility or institution that such person is a drug or alcohol abuser or is incapacitated by drugs or alcohol, to submit to treatment for such drug or alcohol abuse, as a condition of release.

(3) The appearance bond shall be executed with sufficient solvent sureties who are residents of the state of Kansas, unless the magistrate determines, in the exercise of such magistrate's discretion, that requiring sureties is not necessary to assure the appearance of the person at the time ordered.

(4) A deposit of cash in the amount of the bond may be made in lieu of the execution of the bond pursuant to subsection (3). Except as provided in subsection (5), such deposit shall be in the full amount of the bond and in no event shall a deposit of cash in less than the full amount of bond be permitted. Any person charged with a crime who is released on a cash bond shall be entitled to a refund of all moneys paid for the cash bond, after deduction of any outstanding restitution, costs, fines and fees, after the final disposition of the criminal case if the person complies with all requirements to appear in court. The court may not exclude the option of posting bond pursuant to subsection (3).

(5) Except as provided further, the amount of the appearance bond shall be the same whether executed as described in subsection (3) or posted with a deposit of cash

as described in subsection (4). When the appearance bond has been set at \$2,500 or less and the most serious charge against the person is a misdemeanor, a severity level 8, 9 or 10 nonperson felony, a drug severity level 4 felony or a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the magistrate may allow the person to deposit cash with the clerk in the amount of 10% of the bond, provided the person meets at least the following qualifications:

- (A) Is a resident of the state of Kansas;
 - (B) has a criminal history score category of G, H or I;
 - (C) has no prior history of failure to appear for any court appearances;
 - (D) has no detainer or hold from any other jurisdiction;
 - (E) has not been extradited from, and is not awaiting extradition to, another state;
- and

(F) has not been detained for an alleged violation of probation.

(6) In the discretion of the court, a person charged with a crime may be released upon the person's own recognizance by guaranteeing payment of the amount of the bond for the person's failure to comply with all requirements to appear in court. The release of a person charged with a crime upon the person's own recognizance shall not require the deposit of any cash by the person.

(7) The court shall not impose any administrative fee.

(8) In determining which conditions of release will reasonably assure appearance and the public safety, the magistrate shall, on the basis of available information, take into account the nature and circumstances of the crime charged; the weight of the evidence against the defendant; whether the defendant is lawfully present in the United States; the defendant's family ties, employment, financial resources, character, mental condition, length of residence in the community, record of convictions, record of appearance or failure to appear at court proceedings or of flight to avoid prosecution; the likelihood or propensity of the defendant to commit crimes while on release, including whether the defendant will be likely to threaten, harass or cause injury to the victim of the crime or any witnesses thereto; and whether the defendant is on probation or parole from a previous offense at the time of the alleged commission of the subsequent offense.

(9) The appearance bond shall set forth all of the conditions of release.

(10) A person for whom conditions of release are imposed and who continues to be detained as a result of the person's inability to meet the conditions of release shall be entitled, upon application, to have the conditions reviewed without unnecessary delay by the magistrate who imposed them. If the magistrate who imposed conditions of release is not available, any other magistrate in the county may review such conditions.

(11) A magistrate ordering the release of a person on any conditions specified in this section may at any time amend the order to impose additional or different conditions of release. If the imposition of additional or different conditions results in the detention of the person, the provisions of subsection (10) shall apply.

(12) Statements or information offered in determining the conditions of release need not conform to the rules of evidence. No statement or admission of the defendant made at such a proceeding shall be received as evidence in any subsequent proceeding against the defendant.

(13) The appearance bond and any security required as a condition of the defendant's release shall be deposited in the office of the magistrate or the clerk of the

court where the release is ordered. If the defendant is bound to appear before a magistrate or court other than the one ordering the release, the order of release, together with the bond and security shall be transmitted to the magistrate or clerk of the court before whom the defendant is bound to appear.

(14) Proceedings before a magistrate as provided in this section to determine the release conditions of a person charged with a crime including release upon execution of an appearance bond may be conducted by two-way electronic audio-video communication between the defendant and the judge in lieu of personal presence of the defendant or defendant's counsel in the courtroom in the discretion of the court. The defendant may be accompanied by the defendant's counsel. The defendant shall be informed of the defendant's right to be personally present in the courtroom during such proceeding if the defendant so requests. Exercising the right to be present shall in no way prejudice the defendant.

(15) The magistrate may order the person to pay for any costs associated with the supervision of the conditions of release of the appearance bond in an amount not to exceed \$15 per week of such supervision. As a condition of sentencing under K.S.A. 2011 Supp. 21-6604, and amendments thereto, the court may impose the full amount of any such costs in addition to the \$15 per week, including, but not limited to, costs for treatment and evaluation under subsection (2).

Sec. 32. K.S.A. 2011 Supp. 22-2908 is hereby amended to read as follows: 22-2908. (a) In determining whether diversion of a defendant is in the interests of justice and of benefit to the defendant and the community, the county or district attorney shall consider at least the following factors among all factors considered:

- (1) The nature of the crime charged and the circumstances surrounding it;
- (2) any special characteristics or circumstances of the defendant;
- (3) whether the defendant is a first-time offender and if the defendant has previously participated in diversion, according to the certification of the Kansas bureau of investigation or the division of vehicles of the department of revenue;
- (4) whether there is a probability that the defendant will cooperate with and benefit from diversion;
- (5) whether the available diversion program is appropriate to the needs of the defendant;
- (6) the impact of the diversion of the defendant upon the community;
- (7) recommendations, if any, of the involved law enforcement agency;
- (8) recommendations, if any, of the victim;
- (9) provisions for restitution; and
- (10) any mitigating circumstances.

(b) A county or district attorney shall not enter into a diversion agreement in lieu of further criminal proceedings on a complaint if:

- (1) The complaint alleges a violation of K.S.A. 8-1567 or section 2, and amendments thereto, and the defendant: (A) Has previously participated in diversion upon a complaint alleging a violation of that statute or an ordinance of a city in this state which prohibits the acts prohibited by that statute; (B) has previously been convicted of or pleaded *nolo contendere* to a violation of that statute or a violation of a law of another state or of a political subdivision of this or any other state, which law prohibits the acts prohibited by that statute; or (C) during the time of the alleged violation was involved in a motor vehicle accident or collision resulting in personal

injury or death;

(2) the complaint alleges that the defendant committed a class A or B felony or for crimes committed on or after July 1, 1993, an off-grid crime, a severity level 1, 2 or 3 felony for nondrug crimes or drug severity level 1 or 2 felony for drug crimes; or

(3) the complaint alleges a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, and the defendant has participated in two or more diversions in the previous five year period upon complaints alleging a domestic violence offense.

(c) A county or district attorney may enter into a diversion agreement in lieu of further criminal proceedings on a complaint for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, if such diversion carries the same penalties as the conviction for the corresponding violations. If the defendant has previously participated in one or more diversions for violations of article 10 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto, then each subsequent diversion shall carry the same penalties as the conviction for the corresponding violations.

Sec. 33. K.S.A. 2011 Supp. 22-2909 is hereby amended to read as follows: 22-2909. (a) A diversion agreement shall provide that if the defendant fulfills the obligations of the program described therein, as determined by the attorney general or county or district attorney, such attorney shall act to have the criminal charges against the defendant dismissed with prejudice. The diversion agreement shall include specifically the waiver of all rights under the law or the constitution of Kansas or of the United States to a speedy arraignment, preliminary examinations and hearings, and a speedy trial, and in the case of diversion under subsection (c) waiver of the rights to counsel and trial by jury. The diversion agreement may include, but is not limited to, provisions concerning payment of restitution, including court costs and diversion costs, residence in a specified facility, maintenance of gainful employment, and participation in programs offering medical, educational, vocational, social and psychological services, corrective and preventive guidance and other rehabilitative services. If a county creates a local fund under the property crime restitution and compensation act, a county or district attorney may require in all diversion agreements as a condition of diversion the payment of a diversion fee in an amount not to exceed \$100. Such fees shall be deposited into the local fund and disbursed pursuant to recommendations of the local board under the property crime restitution and victims compensation act.

(b) The diversion agreement shall state: (1) The defendant's full name; (2) the defendant's full name at the time the complaint was filed, if different from the defendant's current name; (3) the defendant's sex, race and date of birth; (4) the crime with which the defendant is charged; (5) the date the complaint was filed; and (6) the district court with which the agreement is filed.

(c) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement shall include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation

of facts relating to the complaint. In addition, the agreement shall include a requirement that the defendant:

(1) Pay a fine specified by the agreement in an amount equal to an amount authorized by K.S.A. 8-1567 or section 2, and amendments thereto, for a first offense or, in lieu of payment of the fine, perform community service specified by the agreement, in accordance with K.S.A. 8-1567 or section 2, and amendments thereto; and

(2) participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(d) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a domestic violence offense, as defined in K.S.A. 2011 Supp. 21-5111, and amendments thereto, the diversion agreement shall include a requirement that the defendant undergo a domestic violence offender assessment and follow all recommendations unless otherwise agreed to with the prosecutor in the diversion agreement. The defendant shall be required to pay for such assessment and, unless otherwise agreed to with the prosecutor in the diversion agreement, for completion of all recommendations.

(e) If a diversion agreement is entered into in lieu of further criminal proceedings on a complaint alleging a violation other than K.S.A. 8-1567 or section 2, and amendments thereto, the diversion agreement may include a stipulation, agreed to by the defendant, the defendant's attorney if the defendant is represented by an attorney and the attorney general or county or district attorney, of the facts upon which the charge is based and a provision that if the defendant fails to fulfill the terms of the specific diversion agreement and the criminal proceedings on the complaint are resumed, the proceedings, including any proceedings on appeal, shall be conducted on the record of the stipulation of facts relating to the complaint.

(f) If the person entering into a diversion agreement is a nonresident, the attorney general or county or district attorney shall transmit a copy of the diversion agreement to the division. The division shall forward a copy of the diversion agreement to the motor vehicle administrator of the person's state of residence.

(g) If the attorney general or county or district attorney elects to offer diversion in lieu of further criminal proceedings on the complaint and the defendant agrees to all of the terms of the proposed agreement, the diversion agreement shall be filed with the district court and the district court shall stay further proceedings on the complaint. If the defendant declines to accept diversion, the district court shall resume the criminal proceedings on the complaint.

(h) Except as provided in subsection ~~(h)~~(i), if a diversion agreement is entered into in lieu of further criminal proceedings alleging commission of a misdemeanor by the defendant, while under 21 years of age, under K.S.A. 2011 Supp. 21-5701 through 21-5717, and amendments thereto, or K.S.A. 41-719, 41-727, 41-804, 41-2719 or 41-2720, and amendments thereto, the agreement shall require the defendant to participate in an alcohol and drug evaluation conducted by a licensed provider pursuant to K.S.A. 8-1008, and amendments thereto, and follow any recommendation made by the provider after such evaluation.

(i) If the defendant is 18 or more years of age but less than 21 years of age and allegedly committed a violation of K.S.A. 41-727, and amendments thereto, involving

cereal malt beverage, the provisions of subsection ~~(g)~~(h) are permissive and not mandatory.

(j) Except diversion agreements reported under subsection ~~(j)~~(k), the attorney general or county or district attorney shall forward to the Kansas bureau of investigation a copy of the diversion agreement at the time such agreement is filed with the district court. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

(k) At the time of filing the diversion agreement with the district court, the attorney general or county or district attorney shall forward to the division of vehicles of the state department of revenue a copy of any diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of K.S.A. 8-1567, and amendments thereto. The copy of the agreement shall be made available upon request to the attorney general or any county, district or city attorney or court.

Sec. 34. K.S.A. 22-2910 is hereby amended to read as follows: 22-2910. No defendant shall be required to enter any plea to a criminal charge as a condition for diversion. No statements made by the defendant or counsel in any diversion conference or in any other discussion of a proposed diversion agreement shall be admissible as evidence in criminal proceedings on crimes charged or facts alleged in the complaint. Except for sentencing proceedings and as otherwise provided in subsection (c) of K.S.A. 22-2909, and amendments thereto, and as otherwise provided in K.S.A. 8-285 and 8-1567 and section 2, and amendments ~~to these sections thereto~~, the following shall not be admissible as evidence in criminal proceedings which are resumed under K.S.A. 22-2911: (1) Participation in a diversion program; (2) the facts of such participation; or (3) the diversion agreement entered into.

Sec. 35. K.S.A. 2011 Supp. 22-4704 is hereby amended to read as follows: 22-4704. (a) In accordance with the provisions of K.S.A. 77-415 *et seq.*, and amendments thereto, the director shall adopt appropriate rules and regulations for agencies in the executive branch of government and for criminal justice agencies other than those that are part of the judicial branch of government to implement the provisions of this act.

(b) The director shall develop procedures to permit and encourage the transfer of criminal history record information among and between courts and affected agencies in the executive branch, and especially between courts and the central repository.

(c) The rules and regulations adopted by the director shall include those: (1) Governing the collection, reporting, and dissemination of criminal history record information by criminal justice agencies;

(2) necessary to insure the security of all criminal history record information reported, collected and disseminated by and through the criminal justice information system;

(3) necessary for the coordination of all criminal justice data and information processing activities as they relate to criminal history record information;

(4) governing the dissemination of criminal history record information;

(5) governing the procedures for inspection and challenging of criminal history record information;

(6) governing the auditing of criminal justice agencies to insure that criminal history record information is accurate and complete and that it is collected, reported, and disseminated in accordance with this act;

(7) governing the development and content of agreements between the central

repository and criminal justice and noncriminal justice agencies;

(8) governing the exercise of the rights of inspection and challenge provided in this act.

(d) The rules and regulations adopted by the director shall not include any provision that allows the charging of a fee for information requests for the purpose of participating in a block parent program, including, but not limited to, the McGruff house program.

(e) Rules and regulations adopted by the director may not be inconsistent with the provisions of this act.

(f) (1) On or before July 1, 2012, the director shall adopt rules and regulations requiring district courts to report the filing of all cases alleging a violation of K.S.A. 8-1567, and amendments thereto, to the central repository.

(2) On or before July 1, 2013, the director shall adopt rules and regulations requiring district courts to electronically report all case filings for violations of K.S.A. 8-1567 or section 2, and amendments thereto, to the central repository.

Sec. 36. K.S.A. 2011 Supp. 60-427 is hereby amended to read as follows: 60-427.

(a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that:

(1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted

or (iii) is any other person who obtained knowledge or possession of the communication as the result of an intentional breach of the physician's duty of nondisclosure by the physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2011 Supp. 21-5708, and amendments thereto.

Sec. 37. K.S.A. 2011 Supp. 74-2012 is hereby amended to read as follows: 74-2012. (a) (1) All motor vehicle records shall be subject to the provisions of the open records act, except as otherwise provided under the provisions of this section and by K.S.A. 74-2022, and amendments thereto.

(2) For the purpose of this section, "motor vehicle records" means any record that pertains to a motor vehicle drivers license, motor vehicle certificate of title, motor vehicle registration or identification card issued by the division of vehicles.

(b) All motor vehicle records which relate to the physical or mental condition of any person, have been expunged or are photographs or digital images maintained in

connection with the issuance of drivers' licenses shall be confidential and shall not be disclosed except in accordance with a proper judicial order or as otherwise more specifically provided in this section or by other law. Photographs or digital images maintained by the division of vehicles in connection with the issuance of drivers' licenses may be disclosed to any federal, state or local agency, including any court or law enforcement agency, to assist such agency in carrying out the functions required of such governmental agency. In January of each year the division shall report to the house committee on veterans, military and homeland security regarding the utilization of the provisions of this subsection. Motor vehicle records relating to diversion agreements for the purposes of K.S.A. 8-1567, 12-4415 and 22-2908 and section 2, and amendments thereto, shall be confidential and shall not be disclosed except in accordance with a proper judicial order or by direct computer access to:

(1) A city, county or district attorney, for the purpose of determining a person's eligibility for diversion or to determine the proper charge for a violation of K.S.A. 8-2,144 or 8-1567 or section 2, and amendments thereto, or any ordinance of a city or resolution of a county in this state which prohibits any acts prohibited by those statutes;

(2) a municipal or district court, for the purpose of using the record in connection with any matter before the court;

(3) a law enforcement agency, for the purpose of supplying the record to a person authorized to obtain it under paragraph (1) or (2) of this subsection; or

(4) an employer when a person is required to retain a commercial driver's license due to the nature of such person's employment.

(c) Lists of persons' names and addresses contained in or derived from motor vehicle records shall not be sold, given or received for the purposes prohibited by K.S.A. 2011 Supp. 45-230, and amendments thereto, except that:

(1) The director of vehicles may provide to a requesting party, and a requesting party may receive, such a list and accompanying information from motor vehicle records upon written certification that the requesting party shall use the list solely for the purpose of:

(A) Assisting manufacturers of motor vehicles in compiling statistical reports or in notifying owners of vehicles believed to:

(i) Have safety-related defects; or

(ii) fail to comply with emission standards; or

(iii) have any defect to be remedied at the expense of the manufacturer;

(B) assisting an insurer authorized to do business in this state, or the insurer's authorized agent:

(i) In processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy; or

(ii) in conducting antifraud activities by identifying potential undisclosed drivers of a motor vehicle currently insured by an insurer licensed to do business in this state by providing only the following information: drivers license number, license type, date of birth, name, address, issue date and expiration date;

(C) assisting the selective service system in the maintenance of a list of persons 18 to 26 years of age in this state as required under the provisions of section 3 of the federal military selective service act;

(D) assisting any federal, state or local agency, including any court or law enforcement agency, or any private person acting on behalf of such agencies in carrying

out the functions required of such governmental agency, except that such records shall not be redisclosed;

(E) assisting businesses with the verification or reporting of information derived from the title and registration records of the division to prepare and assemble vehicle history reports, except that such vehicle history reports shall not include the names or addresses of any current or previous owners;

(F) assisting businesses in producing motor vehicle title or motor vehicle registration, or both, statistical reports, so long as personal information is not published, redisclosed or used to contact individuals; or

(G) assisting an employer or an employer's authorized agent in monitoring the driving record of the employees required to drive in the course of employment to ensure driver behavior, performance or safety.

(2) Any law enforcement agency of this state which has access to motor vehicle records may furnish to a requesting party, and a requesting party may receive, such a list and accompanying information from such records upon written certification that the requesting party shall use the list solely for the purpose of assisting an insurer authorized to do business in this state, or the insurer's authorized agent, in processing an application for, or renewal or cancellation of, a motor vehicle liability insurance policy.

(d) If a law enforcement agency of this state furnishes information to a requesting party pursuant to paragraph (2) of subsection (c), the law enforcement agency shall charge the fee prescribed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, for any copies furnished and may charge an additional fee to be retained by the law enforcement agency to cover its cost of providing such copies. The fee prescribed pursuant to K.S.A. 74-2022, and amendments thereto, shall be paid monthly to the secretary of revenue and upon receipt thereof shall be deposited in the state treasury to the credit of the electronic databases fee fund, except for the \$1 of the fee for each record required to be credited to the highway patrol training center fund under subsection (f).

(e) The secretary of revenue, the secretary's agents or employees, the director of vehicles or the director's agents or employees shall not be liable for damages caused by any negligent or wrongful act or omission of a law enforcement agency in furnishing any information obtained from motor vehicle records.

(f) A fee in an amount fixed by the secretary of revenue pursuant to K.S.A. 74-2022, and amendments thereto, of not less than \$2 for each full or partial motor vehicle record shall be charged by the division, except that the director may charge a lesser fee pursuant to a contract between the secretary of revenue and any person to whom the director is authorized to furnish information under paragraph (1) of subsection (c), and such fee shall not be less than the cost of production or reproduction of any full or partial motor vehicle record requested. Except for the fees charged pursuant to a contract for motor vehicle records authorized by this subsection pertaining to motor vehicle titles or motor vehicle registrations or pursuant to subsection (c)(1)(B)(ii) or (c)(1)(D), \$1 shall be credited to the highway patrol training center fund for each motor vehicle record provided by the division of vehicles.

(g) The secretary of revenue may adopt such rules and regulations as are necessary to implement the provisions of this section.

Sec. 38. K.S.A. 2011 Supp. 75-712h is hereby amended to read as follows: 75-712h. ~~On or before July 1, 2012,~~ The director of the Kansas bureau of investigation

~~shall~~ is authorized to adopt rules and regulations establishing: (a) Criteria for preliminary screening devices for testing of saliva for law enforcement purposes, based on health and performance considerations; and (b) a list of preliminary screening devices which are approved for testing of saliva for law enforcement purposes and which law enforcement agencies may purchase and train officers to use as aids in determining probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto.

Sec. 39. K.S.A. 8-241, 8-286, 8-288, 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-287, 8-2,142, 8-2,144, 8-1001, 8-1008, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1020b, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 21-6609, as amended by section 5 of 2012 House Bill No. 2535, 21-6804, 22-2802, 22-2908, 22-2909, 22-2909c, 22-4704, 60-427, 74-2012 and 75-712h are hereby repealed.

Sec. 40. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in the title, by striking all in lines 1 through 6 and inserting:

"AN ACT concerning driving; relating to fines; creating the crime of refusing to submit to a test to determine the presence of alcohol or drugs; relating to driver's licenses; driving under the influence; administrative penalties; crimes, punishment and criminal procedure; amending K.S.A. 8-241, 8-286, 8-288, 8-1501, 12-4413 and 22-2910 and K.S.A. 2011 Supp. 8-235, 8-262, 8-285, 8-287, 8-2,142, 8-2,144, 8-1001, 8-1008, 8-1012, 8-1013, 8-1014, 8-1015, 8-1020, 8-1567, 12-4106, 12-4414, 12-4415, 12-4416, 12-4517, 21-5203, 21-6604, as amended by section 1 of 2012 House Bill No. 2465, 21-6609, as amended by section 5 of 2012 House Bill No. 2535, 21-6804, 22-2802, 22-2908, 22-2909, 22-4704, 60-427, 74-2012 and 75-712h and repealing the existing sections; also repealing K.S.A. 2011 Supp. 8-1020b and 22-2909c.";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELODY McCRAY-MILLER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Colloton to adopt the conference committee report on **H Sub for SB 60**, Rep. S. Gatewood offered a substitute motion to not adopt the conference committee report and asked that a new conference committee be appointed. The substitute motion did not prevail

The question reverted back to the original motion of Rep. Colloton and the conference committee report on **H Sub for SB 60** was adopted.

On roll call, the vote was: Yeas 103; Nays 13; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Boman, Bowers, Brookens, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum,

Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Donohoe, S. Gatewood, Gordon, Henderson, Hildabrand, O'Hara, Peterson, Ruiz, Schwab, Suellentrop, Tyson, Winn.

Present but not voting: None.

Absent or not voting: Bollier, Carlin, Collins, LeDoux, McCray-Miller, Mesa, Pauls, Roth, B. Wolf.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 250**.

The Senate adopts the Conference Committee report on **Sub SB 283**.

The Senate adopts the Conference Committee report on **S Sub for Sub HB 2333**.

The Senate adopts the Conference Committee report on **S Sub for HB 2390**.

The Senate concurs in House amendments to **SB 273**, and requests return of the bill.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **Sub SB 307**.

Speaker O'Neal thereupon appointed Reps. Colloton, Kinzer and Meier as second conferees on the part of the House.

On motion of Rep. Siegfried, the House acceded to the request of the Senate for a conference on **H Sub for SB 425**.

Speaker O'Neal thereupon appointed Reps. Rhoades, Kelley and Feuerborn as second conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGE

Speaker O'Neal announced the appointment of Rep. Phelps on Committee on Redistricting for this afternoon only to replace Rep. Pauls.

On motion of Rep. Siegfried, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Billinger moved that the House reconsider its action in not adopting the conference committee report and that a new conference committee be appointed on **S Sub for HB 2157** (see House Journal, pages 2800-2803). The motion prevailed.

The question reverted back to the motion to not adopt the conference committee report and that a new conference committee be appointed. The motion did not prevail.

The question reverted back to the original motion of Rep. Carlson to adopt the conference committee report on **S Sub for HB 2157**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2157** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 12 and inserting:

"New Section 1. Sections 1 through 5, and amendments thereto, shall be known and may be cited as the competitive bid protection act.

New Sec. 2. The purposes of the competitive bid protection act are to: (a) Provide for the efficient procurement of goods and services by governmental entities;

(b) promote the economical, nondiscriminatory and efficient administration and completion of state and state-funded or state-assisted construction projects by governmental entities;

(c) provide for fair and open competition for construction contracts, awarded by governmental entities;

(d) prohibit requirements for certain terms in construction contracts awarded by governmental entities;

(e) prohibit the expenditure of public funds under certain conditions;

(f) prohibit certain terms in procurement documents by governmental entities for public facilities; and

(g) provide powers and duties for certain public officers, employees and contractors.

New Sec. 3. (a) Unless otherwise required by law, each governmental entity within this state that contracts for public works construction shall ensure that neither the awarding governmental entity nor any agent responsible for procuring a contract directly between the governmental entity and a contractor shall not:

(1) Require any bidder, contractor, subcontractor or material supplier to enter into or agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects; or

(2) discriminate against or treat differently any bidder, contractor, subcontractor or material supplier for becoming, refusing to become or remaining signatories or otherwise to agree to enter into any prehire agreement, project labor agreement, collective bargaining agreement or any other similar agreement with one or more labor organizations on the same or other related construction projects.

(b) Nothing in this section shall prohibit:

(1) Any bidder, contractor, subcontractor, construction manager, design-builder or material supplier of any tier from voluntarily entering into agreements described in paragraph (1) of subsection (a); or

(2) any contractor, construction manager or design builder from requiring its subcontractors or material suppliers of any tier to enter into a collective bargaining agreement.

New Sec. 4. No provision of this act shall be construed to:

(a) Prohibit any employer or other party from entering into any agreement or engaging in any other activity protected by the national labor relations act, 29 U.S.C. §§ 151 to 169; and

(b) interfere with labor relations of any party that is protected under the national labor relations act, 29 U.S.C. §§ 151 to 169.

New Sec. 5. For the purposes of this act:

(a) "Governmental entity" means a state agency or a municipality as the context requires.

(b) "Municipality" means the same as specified in K.S.A. 12-105a, and amendments thereto.

(c) "State agency" means the same as specified in K.S.A. 75-3728a, and amendments thereto.

Sec. 6. K.S.A. 2011 Supp. 75-3740 is hereby amended to read as follows: 75-3740.

(a) Except as provided by K.S.A. 75-3740b, and amendments thereto, and subsection (g), all contracts and purchases made by or under the supervision of the director of purchases or any state agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids.

(b) The director of purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:

(1) The dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state; and

(2) in the case of bids for paper products specified in K.S.A. 75-3740b, and amendments thereto, the dollar amounts of the bids received from two or more lowest responsible bidders are identical, the contract shall be awarded to the bidder whose bid is for those paper products containing the highest percentage of recycled materials.

(c) Any or all bids may be rejected, and a bid shall be rejected if it contains any material alteration or erasure made after the bid is opened. The director of purchases may reject the bid of any bidder who is in arrears on taxes due the state, who is not properly registered to collect and remit taxes due the state or who has failed to perform satisfactorily on a previous contract with the state. The secretary of revenue is hereby authorized to exchange such information with the director of purchases as is necessary to effectuate the preceding sentence notwithstanding any other provision of law prohibiting disclosure of the contents of taxpayer records or information. Prior to determining the lowest responsible bidder on contracts for construction of buildings or for major repairs or improvements to buildings for state agencies, the director of purchases shall consider: (1) The criteria and information developed by the secretary of

administration, with the advice of the state building advisory commission to rate contractors on the basis of their performance under similar contracts with the state, local governmental entities and private entities, in addition to other criteria and information available; and (2) the recommendations of the project architect, or, if there is no project architect, the recommendations of the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254, and amendments thereto. In any case where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance, unless otherwise expressly provided by law or the state agency elects not to proceed with the procurement.

(d) Before the awarding of any contract for construction of a building or the making of repairs or improvements upon any building for a state agency, the director of purchases shall receive written approval from the state agency for which the building construction project has been approved, that the bids generally conform with the plans and specifications prepared by the project architect, by the secretary of administration or by the agency architect for the project, as the case may be, so as to avoid error and mistake on the part of the contractors. In all cases where material described in a contract can be obtained from any state institution, the director of purchases shall exclude the same from the contract.

(e) All bids with the names of the bidders and the amounts thereof, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the director of purchases for five years, unless reproduced as provided in K.S.A. 75-3737, and amendments thereto, and shall be open to public inspection at all reasonable times.

(f) As used in this section and in K.S.A. 75-3741, and amendments thereto, "project architect" shall have the meaning ascribed thereto in K.S.A. 75-1251, and amendments thereto.

(g) When a state agency is receiving bids to purchase passenger motor vehicles, such agency shall follow the procedures prescribed in subsection (b)(1), except in the case where one of the responsible bidders offers motor vehicles which are assembled in Kansas. In such a case, 3% of the bid of the responsible bidder which offers motor vehicles assembled in Kansas shall be subtracted from the bid amount, and that amount shall be used to determine the lowest bid pursuant to subsection (b)(1). This subsection shall only apply to bids which match the exact motor vehicle specifications of the agency purchasing passenger motor vehicles.

Sec. 7. K.S.A. 2011 Supp. 75-3740 is hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.":

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 5, and inserting "concerning competitive bidding; relating to purchase of motor vehicles by state agencies; enacting the competitive bid protection act; amending K.S.A. 2011 Supp. 75-3740 and repealing the existing section.":

And your committee on conference recommends the adoption of this report.

LES DONOVAN

PAT APPLE

Conferees on part of Senate

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

Rep. Carlson renewed the motion to adopt the conference committee report on **S Sub for HB 2157** and the conference committee report was adopted.

On roll call, the vote was: Yeas 85; Nays 31; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Boman, Brookens, Bruchman, Brunk, Burroughs, Calloway, Carlson, Colloton, Crum, Davis, DeGraaf, Fawcett, Feuerborn, Finney, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Hayzlett, Henderson, Henry, Hermanson, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelly, Kerschen, Kleeb, Knox, Landwehr, Lane, Mah, Mast, McLeland, Meier, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Vickrey, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Bollier, Bowers, Brown, Burgess, Denning, Dillmore, Donohoe, Flaharty, S. Gatewood, Grosserode, Hedke, Hildabrand, Hineman, Johnson, Kelley, Kiegerl, Kinzer, Kuether, Loganbill, Meigs, O'Hara, Patton, Pauls, Schroeder, Shultz, Tietze, Trimmer, Tyson, Victors, Ward.

Present but not voting: None.

Absent or not voting: Carlin, Cassidy, Collins, LeDoux, McCray-Miller, Mesa, Peterson, Roth, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 314** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 7, before "The" by inserting "On and after January 1, 2013,"; following line 12, by inserting:

"New Sec. 2. Nothing in the provisions of K.S.A. 58-3201 *et seq.*, and amendments thereto, shall be construed as the granting of an easement over such land by the owner thereof, nor as the granting of an easement over such land by adverse possession.

Sec. 3. K.S.A. 2011 Supp. 21-5808 is hereby amended to read as follows: 21-5808.

(a) Criminal trespass is entering or remaining upon or in any:

(1) Land, nonnavigable body of water, structure, vehicle, aircraft or watercraft by a person who knows such person is not authorized or privileged to do so, and:

(A) Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;

(B) such premises or property are posted ~~in a~~ as provided in K.S.A. 32-1013, and amendments thereto, or in any other manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against

passage or entry; or

(C) such person enters or remains therein in defiance of a restraining order issued pursuant to K.S.A. 60-1607, 60-3105, 60-3106, 60-3107, 60-31a05 or 60-31a06 or K.S.A. 2011 Supp. 38-2243, 38-2244 or 38-2255, and amendments thereto, and the restraining order has been personally served upon the person so restrained; or

(2) public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.

(b) Criminal trespass is a class B nonperson misdemeanor. Upon a conviction of a violation of subsection (a)(1)(C), a person shall be sentenced to not less than 48 consecutive hours of imprisonment which shall be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole.

(c) As used in this section:

(1) "Health care facility" means any licensed medical care facility, certificated health maintenance organization, licensed mental health center or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients; and

(2) "health care provider" means any person:

(A) Licensed to practice a branch of the healing arts;

(B) licensed to practice psychology;

(C) licensed to practice professional or practical nursing;

(D) licensed to practice dentistry;

(E) licensed to practice optometry;

(F) licensed to practice pharmacy;

(G) registered to practice podiatry;

(H) licensed as a social worker; or

(I) registered to practice physical therapy.

(d) This section shall not apply to:

(1) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters and other premises in the making of a survey; or

(2) railroad property as defined in K.S.A. 2011 Supp. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 2011 Supp. 66-2302, and amendments thereto.";

Also on page 1, by striking all in lines 13 through 32;

By striking all in page 2;

On page 3, by striking all in lines 1 through 28 and inserting:

"Sec. 4. On and after January 1, 2013, K.S.A. 2011 Supp. 32-906, as amended by section 45 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-906.

(a) Except as otherwise provided by law or rules and regulations of the secretary, a valid Kansas fishing license is required to fish or to take any bullfrog in this state.

(b) The provisions of subsection (a) do not apply to fishing by:

(1) A person, or a member of a person's immediate family domiciled with such person, on land owned by such person or on land leased or rented by such person for

agricultural purposes;

(2) ~~a resident of this state person~~ who is less than 16 years of age ~~or who is 65 or more years of age;~~

(3) ~~a nonresident who is less than 16 years of age~~ a resident of this state who is 75 years of age or more;

(4) a person fishing in a private water fishing impoundment unless waived pursuant to K.S.A. 32-975, and amendments thereto;

(5) a resident of an adult care home, as defined by K.S.A. 39-923, and amendments thereto, licensed by the secretary of aging;

(6) ~~an inmate in an honor camp operated by the secretary of corrections, pursuant to an agreement between the secretary of corrections and the secretary of wildlife, parks and tourism;~~

(7) a person on dates designated pursuant to subsection (f);

~~(8)~~ (7) a person fishing under a valid institutional group fishing license issued pursuant to subsection (g); or

~~(9)~~ (8) a participant in a fishing clinic sponsored or cosponsored by the department, during the period of time that the fishing clinic is being conducted.

(c) The fee for a fishing license shall be the amount prescribed pursuant to K.S.A. 32-988, and amendments thereto.

(d) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid throughout the state.

(e) Unless otherwise provided by law or rules and regulations of the secretary, a fishing license is valid from the date of issuance and expires on December 31 following its issuance, except that the secretary may issue a:

(1) Permanent license pursuant to K.S.A. 32-929, and amendments thereto;

(2) lifetime license pursuant to K.S.A. 32-930, and amendments thereto;

(3) nonresident fishing license valid for a period of five days; and

(4) resident or nonresident fishing license valid for a period of 24 hours.

(f) The secretary may designate by resolution two days each calendar year during which persons may fish by legal means without having a valid fishing license.

(g) The secretary shall issue an annual institutional group fishing license to each facility operating under the jurisdiction of or licensed by the secretary of social and rehabilitation services and to any veterans administration medical center in the state of Kansas upon application by such facility or center to the secretary of wildlife, parks and tourism for such license.

All applications for facilities under the jurisdiction of the secretary of social and rehabilitation services shall be made with the approval of the secretary of social and rehabilitation services and shall provide such information as the secretary of wildlife, parks and tourism requires. All applications for any veterans administration medical center shall be made with the approval of the director of such facility and shall provide such information as the secretary of wildlife, parks and tourism requires. Persons who have been admitted to and are currently residing at the facility or center, not to exceed 20 at any one time, may fish under an institutional group fishing license within the state while on a group trip, group outing or other group activity which is supervised by the facility or center. Persons fishing under an institutional group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and to all rules and regulations relating to fishing.

The staff personnel of the facility or center supervising the group trip, group outing or other group activity shall have in their possession the institutional license when engaged in supervising any activity requiring the license. Such staff personnel may assist group members in all aspects of their fishing activity.

(h) The secretary may issue a special nonprofit group fishing license to any community, civic or charitable organization which is organized as a not-for-profit corporation, for use by such community, civic or charitable organization for the sole purpose of conducting group fishing activities for handicapped or developmentally disabled individuals. All applications for a special nonprofit group fishing license shall be made to the secretary or the secretary's designee and shall provide such information as required by the secretary.

Handicapped or developmentally disabled individuals, not to exceed 20 at any one time, may fish under a special nonprofit group fishing license while on a group trip, outing or activity which is supervised by the community, civic or charitable organization. Individuals fishing under a special nonprofit group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and rules and regulations relating to fishing.

The staff personnel of the community, civic or charitable organization supervising the group trip, outing or activity shall have in their possession the special nonprofit group fishing license when engaged in supervising any activity requiring the special nonprofit group fishing license. Such staff personnel may assist group members in all aspects of their fishing activity.

(i) The provisions of paragraph (b)(3) shall expire on June 30, 2020.;

On page 3, in line 29, before "K.S.A." by inserting "On and after January 1, 2013,;"

On page 4, by striking all in lines 29 through 43;

On page 5, by striking all in lines 1 and 2;

On page 7, in line 8, by striking "(1)"; in line 14, by striking "(A)" and inserting "(1)"; in line 16, by striking "(B)" and inserting "(2)"; in line 17, by striking "(C)" and inserting "(3)"; in line 19, by striking "(D)" and inserting "(4)"; by striking all in lines 21 through 23;

On page 8, in line 17, after "(n)" by inserting "(1)"; also in line 17, by striking "1" and inserting "30"; following line 19, by inserting:

"(2) Prior to April 30, 2013, the secretary shall develop and implement a pre-rut antlerless deer rifle season by deer management unit. The provisions of this paragraph shall expire on July 1, 2015.

(3) The secretary shall develop and implement a deer crossbow hunting pilot project. Such pilot project shall be implemented in no more than four deer management units. The secretary of wildlife, parks and tourism shall study the effects of such pilot project on the deer population and the number of crossbow users in such deer management units and report to the house committee on agriculture and natural resources and the senate committee on natural resources prior to January 31, 2014. The provisions of this paragraph shall expire on January 31, 2014.;"

Also on page 8, in line 31, before "K.S.A." by inserting "On and after January 1, 2013,;"

On page 10, in line 31, by striking "(1)"; by striking all in lines 34 through 38; in line 40, by striking "equal to" and inserting "not to exceed";

On page 11, by striking all in lines 17 through 43;

On page 12, by striking all in lines 1 through 29 and inserting:

"Sec. 8. On and after January 1, 2013, K.S.A. 2011 Supp. 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-1005.

(a) Commercialization of wildlife is knowingly committing any of the following, except as permitted by statute or rules and regulations:

(1) Capturing, killing or possessing, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(2) selling, bartering, purchasing or offering to sell, barter or purchase, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(3) shipping, exporting, importing, transporting or carrying; causing to be shipped, exported, imported, transported or carried; or delivering or receiving for shipping, exporting, importing, transporting or carrying all or any part of any wildlife protected by this section, for profit or commercial purposes; or

(4) purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

(b) The wildlife protected by this section and the minimum value thereof are as follows:

(1) Eagles, \$1,000;

(2) deer or antelope, \$1,000;

(3) elk or buffalo, \$1,500;

(4) furbearing animals, except bobcats, \$25;

(5) bobcats, \$200;

(6) wild turkey, \$200;

(7) owls, hawks, falcons, kites, harriers or ospreys, \$500;

(8) game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, \$50 unless a higher amount is specified above;

(9) fish and mussels, the value for which shall be no less than the value listed for the appropriate fish or mussels species in the monetary values of freshwater fish or mussels and fish kill counting guidelines of the American fisheries society, special publication number 30;

(10) turtles, \$25 each for unprocessed turtles or \$16 per pound or fraction of a pound for processed turtle parts;

(11) bullfrogs, \$4, whether dressed or not dressed;

(12) any wildlife classified as threatened or endangered, \$500 unless a higher amount is specified above; and

(13) any other wildlife not listed above, \$25.

(c) Possession of wildlife, in whole or in part, captured or killed in violation of law and having an aggregate value of \$1,000 or more, as specified in subsection (b), is *prima facie* evidence of possession for profit or commercial purposes.

(d) Commercialization of wildlife having an aggregate value of \$1,000 or more, as specified in subsection (b), is a severity level 10, nonperson felony. Commercialization of wildlife having an aggregate value of less than \$1,000, as specified in subsection (b), is a class A nonperson misdemeanor.

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

(1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to ~~10~~ 20 years all licenses and permits issued to the convicted person

by the Kansas department of wildlife, parks and tourism; and

(2) order restitution to be paid to the Kansas department of wildlife, parks and tourism for the wildlife taken, which restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that such wildlife was illegally harvested.

Sec. 9. On and after January 1, 2013, K.S.A. 2011 Supp. 32-1032, as amended by section 60 of 2012 Senate Bill No. 316, is hereby amended to read as follows: 32-1032.

(a) Violation of any provision of the wildlife, parks and tourism laws of this state or rules and regulations of the secretary relating to big game or wild turkey permits and game tags, taking big game or wild turkey during a closed season, taking big game or wild turkey in violation of subsections (a)(1), (2) or (7) of K.S.A. 32-1003, and amendments thereto, or taking big game or wild turkey in violation of subsection (a)(2) or (3) of K.S.A. 32-1004, and amendments thereto, or taking big game or wild turkey in violation of K.S.A. 32-1013, and amendments thereto, is a misdemeanor, subject to the provisions of subsection (b), punishable by a fine or by imprisonment in the county jail, or by both.

(1) Upon a first or second conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$500 nor more than \$1,000 or be imprisoned in the county jail for not more than six months, or both.

(2) Upon a third conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 30 days. A third conviction shall be a class B nonperson misdemeanor.

(3) Upon a fourth conviction for a violation of the wildlife, parks and tourism laws of this state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 60 days. A fourth conviction shall be a class A nonperson misdemeanor.

(4) Upon the fifth or subsequent convictions for a violation of the wildlife, parks and tourism laws of the state or the rules and regulations of the secretary relating to this section, the violator shall not be fined less than \$1,000 and shall be imprisoned in the county jail for not less than 90 days. A fifth or subsequent conviction shall be a class A nonperson misdemeanor.

Any conviction for a wildlife violation that occurs before July 1, 2005, shall not be considered for purposes of this subsection.

(b) (1) In addition to any other penalty prescribed by law, the unlawful intentional taking of a trophy big game animal shall be punishable by a fine of not less than \$5,000.

(2) A trophy big game animal shall include any animal meeting the following criteria:

(A) An antlered whitetail deer having an inside spread measurement of at least ~~17~~ 16 inches;

(B) an antlered mule deer having an inside spread measurement of at least ~~22~~ 20 inches;

(C) an antlered elk having at least six points on one antler; or

(D) an antelope having at least one horn greater than 14 inches in length.

(3) In addition to any other penalty prescribed by law, the defendant shall pay the restitution value of any deer, elk or antelope taken in violation of K.S.A. 32-1001, 32-1002, 32-1003, 32-1004, 32-1005 or 32-1013, and amendments thereto, with a gross score of more than 125 inches for deer, 250 inches for elk and 75 inches for antelope. Such restitution value shall be in an amount not less than the value prescribed for such animal in K.S.A. 32-1005, and amendments thereto. The restitution value for deer shall equal: $(\text{gross score} - 100)^2 \times \2 . The restitution value for elk shall equal: $(\text{gross score} - 200)^2 \times \2 . The restitution value for antelope shall equal: $(\text{gross score} - 40)^2 \times \2 . The gross score shall be determined by taking measurements as provided by rules and regulations of the secretary, which shall be made to the nearest $\frac{1}{8}$ of an inch using a $\frac{1}{4}$ inch wide flexible steel tape. All restitution collected pursuant to this subparagraph shall be paid into the state treasury and shall be credited to the wildlife fee fund created by K.S.A. 32-990, and amendments thereto.

(4) Antlers or horns may be measured pursuant to the manner described in subsection (b)(3) at any time; no drying time is required.

(5) The secretary may adopt, in accordance with K.S.A. 32-805, and amendments thereto, such rules and regulations that the secretary deems necessary to implement and define the terms of this section.

(c) In addition to any other penalty imposed by the convicting court, if a person is convicted of a violation of K.S.A. 32-1001, 32-1002, 32-1003, 32-1004 or 32-1013, and amendments thereto, that involves taking of a big game animal or wild turkey, or if a person is convicted of a violation of K.S.A. 32-1005, and amendments thereto, that involves commercialization of a big game animal or wild turkey:

(1) Upon the first such conviction, the court may order forfeiture of the person's hunting privileges for one year from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for one year from the date of conviction.

(2) Upon the second such conviction, the court shall order forfeiture of the person's hunting privileges for three years from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for three years from the date of conviction.

(3) Upon the third or a subsequent such conviction, the court shall order forfeiture of the person's hunting privileges for five years from the date of conviction and: (A) Revocation of the person's hunting license, unless such license is a lifetime hunting license; or (B) if the person possesses a lifetime hunting license, suspension of such license for five years from the date of conviction.

(d) If a person convicted of a violation described in subsection (c) has been issued a combination hunting and fishing license or a combination lifetime license, only the hunting portion of such license shall be revoked or suspended pursuant to subsection (c).

(e) Nothing in this section shall be construed to prevent a convicting court from suspending a person's hunting privileges or ordering the forfeiture or suspension of the person's license, permit, stamp or other issue of the department for a period longer than provided in this section, if such forfeiture or suspension is otherwise provided for by law.

Sec. 10. K.S.A. 2011 Supp. 21-5808 and 32-937 are hereby repealed.

Sec. 11. On and after January 1, 2013, K.S.A. 2011 Supp. 32-906, as amended by section 45 of 2012 Senate Bill No. 316, 32-919, 32-937, 32-988, 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, and 32-1032, as amended by section 60 of 2012 Senate Bill No. 316, are hereby repealed.

And by renumbering sections accordingly;

Also on page 12, in line 31, by striking "January 1, 2013 and";

On page 1, in the title, in line 1, by striking all after "concerning" and inserting "hunting and fishing; relating to use of land; relating to penalties;"; in line 2, by striking all following the first semicolon; by striking all in line 3, and inserting "amending K.S.A. 2011 Supp. 21-5808, 32-906, as amended by section 45 of 2012 Senate Bill No. 316, 32-919, 32-937, 32-988, 32-1005, as amended by section 58 of 2012 Senate Bill No. 316, and 32-1032, as amended by section 60 of 2012 Senate Bill No. 316";

And your committee on conference recommends the adoption of this report.

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

RALPH OSTMEYER

CAROLYN MCGINN

MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Powell, the conference committee report on **SB 314** was adopted.

On roll call, the vote was: Yeas 76; Nays 39; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brunk, Carlson, Colloton, Crum, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Mast, Meigs, Montgomery, O'Brien, Osterman, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Wetta, K. Wolf, Worley.

Nays: Ballard, Brown, Bruchman, Burgess, Burroughs, Calloway, Dillmore, Feuerborn, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kinzer, Kuether, Landwehr, Lane, Loganbill, Mah, McLeland, Meier, Moxley, O'Hara, Otto, Patton, Pauls, Peck, Phelps, Ruiz, Slattery, Tietze, Victors, Ward, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Cassidy, Collins, LeDoux, McCray-Miller, Mesa, O'Neal, Peterson, Roth, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate

amendments to **HB 2333** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 16, by striking "2014" and inserting "2015"; in line 18, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 23, by striking the first "and"; in line 24, after "thereto" by inserting ", and security officers as provided in K.S.A. 74-4914a, and amendments thereto"; in line 26, by striking "pre-2014" and inserting "pre-2015";

On page 2, in line 13, before "employed" by inserting "first"; also in line 13, by striking "July 1,"; in line 14, by striking "2014" and inserting "January 1, 2015"; in line 21, by striking "2014" and inserting "2015"; in line 32, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 33, by striking "July 1,"; in line 34, by striking "2014" and inserting "January 1, 2015"; in line 36, by striking "July 1,"; in line 37, by striking "2014" and inserting "January 1, 2015"; in line 38, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 40, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 42, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 43, by striking "July 1, 2014" and inserting "January 1, 2015";

On page 3, in line 2, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 4, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 7, by striking "July 1, 2014" and inserting "January 1, 2015"; in line 12, by striking all after "service"; by striking all in line 13; in line 14, by striking all before the semicolon; in line 17, by striking "pre-2014" and inserting "pre-2015";

On page 4, in line 24, by striking "July 1, 2014" and inserting "January 1, 2015"; also in line 24, by striking "6%" and inserting "5.25%"; also in line 24, by striking ", except that"; by striking all in lines 25 and 26; in line 27, by striking all before the period; by striking all in line 34 and inserting the following:

"(2) if the funding ratio of the system as a whole is equal to or more than 80% as certified by the board, the board shall provide for an additional interest credit which may not exceed the lesser of 4% or a percentage of the rate of return on the system's assets that is above 8% for a fiscal year which such percentage is equal to the funding ratio of the system as a whole for each fiscal year;

(3) the additional interest rate for a fiscal year shall not be granted unless the rate of return on the system's assets is at least 10% for that fiscal year; and";

Also on page 4, in line 35, by striking "(3)" and inserting "(4) if the funding ratio of the system as a whole is less than 80% as certified by the board,"; in line 40, after "credits" by inserting "under subsections (a) and (b)"; in line 41, by striking "fifth" and inserting "second";

On page 5, in line 3, by striking "paid"; in line 4, by striking "out" and inserting "posted to the account"; in line 5, by striking "A participating employer shall credit,"; in line 6, by striking "4%" and inserting "a percentage"; also in line 6, after "compensation" by inserting "shall be credited"; also in line 6, after "account" by inserting: ", as follows:

(1) Three percent of compensation for each member who has less than five years of service;

(2) four percent of compensation for each member who has at least five but less than 12 years of service;

(3) five percent of compensation for each member who has at least 12 but less than 24 years of service; and

(4) six percent of compensation for each member who has 24 or more years of service";

Also on page 5, in line 17, by striking "July"; in line 18, by striking "1, 2014" and inserting "January 1, 2015"; also in line 18, by striking "6%" and inserting "5.25%"; also in line 18, by striking all after "annum"; by striking all in lines 19 and 20; in line 21, by striking all before the period; by striking all in line 28, and inserting the following:

"(2) if the funding ratio of the system as a whole, is equal to or more than 80% as certified by the board, the board shall provide for an additional interest credit which may not exceed the lesser of 4% or a percentage of the rate of return on the system's assets that is above 8% for a fiscal year which such percentage is equal to the overall funded ratio of the system as a whole for each fiscal year;

(3) the additional interest rate for a fiscal year shall not be granted unless the rate of return on the system's assets is at least 10% for that fiscal year; and";

Also on page 5, in line 29, by striking "(3)" and inserting "(4) if the funding ratio of the system as a whole is less than 80% as certified by the board,"; in line 33, by striking "paid"; in line 34, by striking "out" and inserting "posted to the account"; in line 35, after "credits" by inserting "under subsections (a) and (b)"; in line 36, by striking "fifth" and inserting "second"; in line 41, after "the" by inserting "member's service credit,";

On page 6, in line 6, by striking all after "account"; in line 7, by striking all before the period; in line 21, after "(a)" by inserting "or (b)"; in line 22, after the second "distribution" by inserting "shall be made using mortality rates and interest rates as provided in subsection (a) of section 13, and amendments thereto, and"; in line 23, by striking "(b)" and inserting "(c)"; in line 27, by striking "in 10% increments" and inserting "of any fixed dollar amount or percent"; in line 29, by striking "(b)" and inserting "(c)"; in line 32, after "(a)" by inserting "or (b)";

On page 7, in line 5, by striking "normal"; in line 6, by striking "five-year" and inserting "10-year"; in line 16, after "service" by inserting ", employer credits and interest credits"; in line 18, by striking "(d)" and inserting "(e)"; in line 27, by striking "rate" and inserting "rates"; after line 28, by inserting the following:

"(b) Except as provided in subsection (e), a member who has a vested interest in the member's retirement annuity account, who terminates after attainment of age 55 with the completion of at least 10 years of service, shall receive an annuity based upon employer credits and interest credits in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate established by the legislature as of the member's annuity start date, and such interest rate shall initially be 6%. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such rights to do so.";

And by redesignating subsections accordingly;

Also on page 7, in line 29, by striking "normal"; also in line 29, by striking "subsection (a)" and inserting "subsections (a) and (b)"; in line 30, by striking "five-year" and inserting "10-year"; in line 32, by striking "adjustment"; in line 40, by striking "in 10% increments" and inserting "of any fixed dollar amount or percent";

On page 8, in line 12, by striking "normal"; also in line 12, by striking "five-year" and inserting "10-year"; in line 14, after the comma, by inserting "or the total of the member's vested retirement annuity account and annuity savings account balance is less than \$1,000,"; also in line 14, after "balance" by inserting "or balances"; in line 31, by striking "2014" and inserting "2015";

On page 9, in line 10, after "law" by inserting "or the terms of the plan as established by the board";

On page 11, in line 2, by striking "24" and inserting "25"; in line 6, by striking "24" and inserting "25"; in line 10, by striking "in no event"; in line 11, by striking "shall"; in line 12, before "be" by inserting "shall"; also in line 12, by striking all after "rate"; in line 13, by striking all before the period and inserting "which equals 1.4% of the member's final average salary for members that elect the 1.4% multiplier pursuant to subsection (b)(2) of section 25, and amendments thereto, and 1.75% of the member's final average salary for members that elect the 1.85% multiplier pursuant to subsection (b)(1) of section 25, and amendments thereto";

On page 13, in line 7, by striking "24" and inserting "25"; in line 18, by striking "24" and inserting "25"; in line 20, by striking "24" and inserting "25";

On page 18, in line 6, after the period, by inserting "Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.";

On page 19, in line 14, by striking all after the comma; in line 15, by striking all before "the" the second time it appears, and inserting "but prior to January 1, 2014"; in line 17, after "salary" by inserting ", and for any member who retires after such member's normal retirement date, and on and after January 1, 2014, the amount for participating service shall be equal to 1.85% of the member's final average salary,"; in line 18, by striking "earned prior to January 1, 2014,"; in line 19, by striking all after "benefit"; by striking all in lines 20 through 28; in line 29, by striking all before the period; by striking all in lines 30 through 43;

On page 20, by striking all in lines 1 and 2; by striking all in lines 24 through 40; in line 41, by striking "(d)(1)" and inserting "(c)(1)";

On page 21, by striking all in lines 4 through 9; in line 10, by striking "(4)" and inserting "(3)"; in line 11, by striking "or (d)(3)";

On page 33, after line 33, by inserting the following:

"New Sec. 29. In addition to all requirements for fiscal notes pursuant to law, fiscal notes for bills which provide a new benefit, an increase in existing benefits or any other type of benefit enhancement for members of the Kansas public employees retirement system and systems thereunder, including a cost-of-living adjustment or postretirement benefit increase, shall include an actuarial valuation and appraisal of the liability to the system and the required contributions necessary to discharge such liability and maintain the system on an actuarial reserve basis created by such benefit enhancement to be conducted by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto. Such fiscal note shall be available to members of any standing committee of the legislature to which such bill has been assigned prior to such committee taking any action on such bill.

Sec. 30. K.S.A. 2011 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state

treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~and~~ reduction of local *ad valorem* tax in the same manner as provided for allocation of amounts in the local *ad valorem* tax reduction fund and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2012, July 1, 2013, July 1, 2014, July 1, 2015, July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2019, July 1, 2020, and July 1, 2021, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: the Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 31. K.S.A. 2011 Supp. 75-6609 is hereby amended to read as follows: 75-6609. (a) When used in this section, "surplus real estate" means real estate which is no longer needed by the state agency which owns such real estate as determined in accordance with this section.

(b) (1) The secretary of administration shall develop criteria for the identification of surplus real estate, including, but not limited to, a review of any legal restrictions associated with the real estate and the reasons for the state agency to keep the real estate. In accordance with such criteria, the secretary shall assist state agencies in the identification of surplus real estate. The secretary of administration shall periodically review the status of all real estate of state agencies subject to this section to determine if any of the real estate owned by state agencies is potentially surplus real estate. If any real estate owned by a state agency is determined by the secretary of administration, in consultation with the head of the state agency, to be surplus real estate in accordance with the criteria developed under subsection (a), then the secretary of administration shall recommend to the governor that such real estate be sold under the procedures prescribed by this section.

(2) The secretary of administration shall develop guidelines for the sale of surplus real estate. In accordance with such guidelines and upon the approval of the governor, after consultation with the head of the state agency which owns such surplus real estate, after consultation with the joint committee on state building construction and after approval by the state finance council under subsection (c), the secretary may offer such property for sale by one of the following means: (A) Public auction; (B) by listing the surplus property with a licensed real estate broker or salesperson; or (C) by sealed bid. Subject to the approval of the state finance council as required by subsection (c), the

secretary of administration may sell surplus real estate and any improvements thereon on behalf of the state agency which owns such property.

(c) Prior to the sale of any surplus real estate under subsection (b), the state finance council shall approve the sale, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711, and amendments thereto. The matter may be submitted to the state finance council for approval at any time, including periods of time during which the legislature is in session.

(d) Prior to offering any real estate for sale, such property shall be appraised pursuant to K.S.A. 75-3043a, and amendments thereto, unless the appraisal is waived as provided in this subsection. The secretary of administration may waive the requirement for appraisal for any parcel of surplus real estate that is to be sold at public auction under this section if the secretary of administration determines that it is in the best interests of the state to waive the requirement for appraisal for such parcel of surplus real estate. The costs of any such appraisal may be paid from the proceeds of the sale.

(e) Conveyance of title in surplus real estate offered for sale by the secretary of administration shall be executed on behalf of the state agency by the secretary of administration. The deed for the conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the secretary of administration in consultation with the head of the state agency which owns the surplus real estate.

(f) (1) Any proceeds from the sale of surplus real estate and any improvements thereon, after deduction of the expenses of such sale and any cost of appraisal of the surplus real estate, shall be deposited in the state treasury as prescribed by this subsection, unless otherwise authorized by law. On and after ~~the effective date of this act~~ July 1, 2012, 20% of the proceeds from each such sale deposited in the state treasury shall be credited to the surplus real estate fund or another appropriate special revenue fund of the state agency which owned the surplus real estate, as is prescribed by law or as may be determined by the state agency, unless otherwise required by state or federal law or by the limitations or restrictions of the state's title to the real estate being sold. In the case of proceeds from the sale of surplus real estate at a state mental health institution or a state mental retardation institution, such portion of the proceeds shall be credited to the client benefit fund of such institution or to another special revenue fund of such institution for: (A) Rehabilitation and repair or other capital improvements for such institution; or (B) one-time expenditures for community mental health organizations if the real estate sold was at a state mental health institution or for community developmental disabilities organizations if the real estate sold was at a state mental retardation institution, and, in any such case, shall be expended in accordance with the provisions of appropriation acts. The remaining 80% of the proceeds from each such sale deposited in the state treasury shall be credited to the ~~state general fund~~ Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system. As used in this section, "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2011, or the end of the most recent calendar year for which an

actuarial valuation report is available.

(2) The amount of expenses and the cost of appraisal for each sale of surplus real estate pursuant to this section shall be transferred and credited to the property contingency fund created under K.S.A. 75-3652, and amendments thereto, and may be expended for any operations of the department of administration.

(3) Any state agency owning real estate may apply to the director of accounts and reports to establish a surplus real estate special revenue fund in the state treasury. Subject to the provisions of appropriation acts, moneys in a surplus real estate special revenue fund may be expended for the operating expenditures of the state agency.

(g) Any sale of property by the secretary of transportation pursuant to K.S.A. 68-413, and amendments thereto, shall not be subject to the provisions of this section. The provisions of this section shall not be applicable to real estate given as an endowment, bequest, or gift to a state educational institution as defined in K.S.A. 72-4412, and amendments thereto, or to the university of Kansas medical center.

(h) Sale of the Olathe travel information center shall not be subject to the provisions of this section.

New Sec. 32.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

On and after July 1, 2012, during the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the above agency from the agency operations account of the Kansas public employees retirement fund for fiscal year 2013 as authorized by any appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures shall be made by the above agency to implement the provisions of the Kansas public employees retirement system act of 2015. All such expenditures shall be in addition to any other expenditure limitation imposed on expenditures from the agency operations account of the Kansas public employees retirement fund for fiscal year 2013, except that such expenditures shall not exceed \$2,750,000.";

And by renumbering sections accordingly;

Also on page 33, in line 36, by striking "and" and inserting a comma; also in line 36, after "74-49,213" by inserting ", 74-8768 and 75-6609";

On page 1, in the title, in line 3, by striking "2014" and inserting "2015"; in line 8, before "amending" by inserting "fiscal notes on bills that provide retirement benefit enhancements, actuarial cost; sale of real estate of state agencies, disposition of proceeds to KPERS fund; authorized transfers from expanded lottery act revenues fund; making certain appropriations for fiscal year 2013;"; in line 11, by striking "and 74-49,213" and inserting ", 74-8768 and 75-6609"; also in line 11, after "sections" by inserting "; also repealing K.S.A. 2011 Supp. 74-49,213";

And your committee on conference recommends the adoption of this report.

STEPHEN R. MORRIS

JEFF KING

LAURA KELLY

Conferees on part of Senate

MITCH HOLMES
 JOHN C. GRANGE
 LOUIS E. RUIZ

Conferees on part of House

On motion of Rep. M. Holmes, the conference committee report on **S Sub for Sub HB 2333** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 74; Nays 42; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brunk, Calloway, Carlson, Colloton, Crum, Davis, DeGraaf, Fawcett, Garber, Goico, Gonzalez, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kleebe, Knox, Mast, McLeland, Montgomery, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Trimmer, Vickrey, Weber, Wetta, K. Wolf, Worley.

Nays: Ballard, Brown, Bruchman, Burgess, Burroughs, Denning, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goodman, Gordon, Grant, Henderson, Hildabrand, Kelley, Kinzer, Kuether, Landwehr, Lane, Loganbill, Mah, Meier, Meigs, O'Hara, Pauls, Phelps, Rubin, Ruiz, Slattery, Smith, Tietze, Tyson, Victors, Ward, Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Cassidy, Collins, LeDoux, McCray-Miller, Mesa, Peterson, Roth, B. Wolf.

EXPLANATIONS OF VOTE

Mr. Speaker: I vote "yes" on **S Sub for Sub HB 2333**. This is an excellent example of due diligence by the 2011-2012 Legislature and hard work by the Pension and Benefits Committees of both chambers.

Plans were debated and approved in each chamber; a conference committee crafted a compromise. Our current KPERS Pension Plan is underfunded and not sustainable, I believe this will lead us to a Pension Plan that is fair, balanced and reduces the risk of insolvency. It may not be perfect, but we will work on that. – JOHN C. GRANGE, DON HILL

MR. SPEAKER: I vote NO on **S Sub for Sub HB 2333**. Many important and necessary reforms were identified during the work on this bill. I support the concept of a cash balance plan.

Unfortunately, we may have created a plan where the guaranteed return and escalating pay credit structure may offset most of the advantages of the Cash Balance Plan. With an implementation date of January 1, 2015 we could have taken an extra session, got the foundation correct, and still met the implementation date. – JIM DENNING, GREG SMITH, KASHA KELLEY, LANCE Y. KINZER, BRENDA K. LANDWEHR, JOHN RUBIN, KELLY MEIGS

MR. SPEAKER: I vote yes as there are many important and necessary functions achieved in **S Sub for Sub HB 2333**. I also support the concept of a cash balance plan. Unfortunately, we also may have created a plan where investment return assumptions continue to overstate the benefits provided, or understate the the contributions required. I call on the legislature to continue to earnestly consider the ramifications of our guarantees and the uncertainty it creates for either the benefits or contributions. We are on the right track. We have to make sure the track can bear the load before we place it in service. — PEGGY MAST, AMANDA GROSSERODE, ROBERT MONTGOMERY

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 177** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

RICHARD CARLSON

MARVIN KLEEB

Conferees on part of House

LES DONOVAN

PAT APPLE

Conferees on part of Senate

On motion of Rep. Carlson the conference committee report on **H Sub for SB 177** to agree to disagree, was adopted.

Speaker pro tem Vickrey thereupon appointed Reps. Carlson, Kleeb and Dillmore as second conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 434** be amended by substituting a new bill to be designated as "HOUSE Substitute for SENATE BILL NO. 434," as follows:

"HOUSE Substitute for SENATE BILL NO. 434

By Committee on Appropriations

"AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate; relating to the selling and purchasing of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397."; and the substitute bill be passed.

(**H Sub for SB 434** was thereupon introduced and read by title.)

Committee on **Redistricting** recommends **House Substitute for SB 145** be amended by substituting a new bill to be designated as "House Substitute for House Substitute for SENATE BILL NO. 145," as follows:

"HOUSE Substitute for HOUSE Substitute for SENATE BILL NO. 145

By Committee on Redistricting

"AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-

139, 4-140, 4-141 and 4-142."; and the substitute bill be passed.
(**H Sub for H Sub for SB 145** was thereupon introduced and read by title.)

CHANGE OF CONFEREES

Speaker pro tem Vickrey announced the appointment of Reps. O'Neal and Winn as members of the conference committee on **H Sub for SB 28** to replace Reps. Aurand and Ward.

REPORT ON ENGROSSED BILLS

Sub HB 2427 reported correctly engrossed May 16, 2012.

HB 2568 reported correctly re-engrossed May 16, 2012.

S Sub for Sub HB 2318 reported correctly engrossed May 17, 2012.

On motion of Rep. Siegfried, the House adjourned until 9:30 a.m., Friday, May 18, 2012.

Journal of the House

SEVENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 18, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 113 members present.

Reps. Carlin, LeDoux and Powell were excused on verified illness.

Reps. Aurand, Cassidy, Collins, Davis, McCray-Miller, Mesa, Rhoades, Ward and B. Wolf were excused on excused absence by the Speaker.

Rep. Shultz was excused later in the day on excused absence by the Speaker.

Present later: Reps. Aurand, Cassidy, Davis and Powell.

Prayer by Jim Weaver, Doorman of the House:

Eternal God our Heavenly Father
we come before you this day
as humbly as we know how.
We thank you for this body of representatives
who are working together to make this state
a better and safer place to live.
We ask for your guidance, direction
and wisdom in accomplishing
the tasks set before them
in these final days of this session.
Please teach us to number our days
so that we may gain a heart of wisdom.
We will be so careful to give you all the praise,
glory and honor in Jesus' name. Amen.

The Pledge of Allegiance was led by Rep. Burgess.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for H Sub for SB 145; H Sub for SB 291; H Sub for SB 434.**

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Rep. Schwartz as a member of the

conference committee on **H Sub for SB 294** to replace Rep. Rhoades for today.

Also, the appointment of Rep. Aurand as a member of the conference committee on **H Sub for SB 28** to replace Rep. O'Neal.

On motion of Rep. Siegfried, the House resolved into the Committee of the Whole, with Rep. Carlson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Carlson, Committee of the Whole report, as follows, was adopted: Recommended that **HR 6025** be adopted.

Committee report recommending a substitute bill to **H Sub for SB 434** be adopted; and the substitute bill be passed.

Committee report recommending a substitute bill to **H Sub for H Sub for SB 145** be adopted; also, on motion of Rep. Brown to amend, the motion did not prevail.

Also, roll call was demanded on motion to recommend the bill favorably for passage.

On roll call, the vote was: Yeas 56; Nays 54; Present but not voting: 0; Absent or not voting: 15.

Yeas: Arpke, Bethell, Billinger, Boman, Bruchman, Brunk, Burgess, Carlson, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Mast, McLeland, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Prescott, Proehl, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Swanson, Vickrey.

Nays: Alford, Ballard, Bollier, Bowers, Brookens, Brown, Burroughs, Colloton, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Goodman, Gordon, Grange, Grant, Henderson, Henry, Hildabrand, Johnson, Knox, Kuether, Landwehr, Lane, Loganbill, Mah, Meier, Moxley, Pauls, Peterson, Phelps, Pottorff, Roth, Ruiz, Schroeder, Shultz, Slattery, Sloan, Spalding, Tietze, Trimmer, Tyson, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Aurand, Calloway, Carlin, Cassidy, Collins, Davis, Goico, Kleeb, LeDoux, McCray-Miller, Mesa, Powell, Rhoades, Ward, B. Wolf.

The motion prevailed and **H Sub for H Sub for SB 145** be passed.

Committee report recommending a substitute bill to **H Sub for SB 291** be adopted; also, on motion of Rep. Suellentrop be amended on page 1, following line 36, by inserting the following:

"(d) The provisions of this section shall expire on June 30, 2013.";

Also, on motion of Rep. Brookens, **H Sub for SB 291** be amended on page 1, following line 10, by inserting:

"WHEREAS, Prior to May 4, 2012, the Supreme Court of Kansas had accurately interpreted the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations have been consistent with the intent of the Kansas Legislature in enacting the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations made prior to May 4, 2012, shall continue to be considered viable precedent in the state of Kansas; and"; in line 14,

after "thereto" by inserting ", as heretofore articulated by the Supreme Court of Kansas prior to May 4, 2012";

Also, on motion of Rep. Burroughs to rerefer **H Sub for SB 291** to Committee on Judiciary, the motion did not prevail, and the substitute bill be passed as amended.

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Reps. Kinzer, Patton and Pauls as members of the conference committee on **HB 2494** to replace Reps. Shultz, Hermanson and Grant.

On motion of Rep. Siegfried, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 11; HB 2453**.

MESSAGE FROM THE SENATE

Announcing passage of **HB 2453**, as amended; **HB 2792**, as amended.

The Senate adopts the Conference Committee report on **H Sub for SB 60**.

The Senate adopts the Conference Committee report on **SB 314**.

The Senate adopts the Conference Committee report on **HB 2175**.

The Senate adopts the Conference Committee report to agree to disagree on **Sub HB 2435**, and has appointed Senators Schodorf, Vratil and Hensley as second conferees on the part of the Senate.

The motion to adopt the Conference Committee report to agree to disagree on **H Sub for SB 177** failed, and the bill remains in conference.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kerschen, the House concurred in Senate amendments to **HB 2729**, AN ACT concerning motor vehicles; relating to parks and recreation motor vehicle permits; amending K.S.A. 32-901 and K.S.A. 2011 Supp. 8-134 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 87; Nays 27; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Finney, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert,

Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kleeb, Knox, Mast, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Spalding, Suellentrop, Swanson, Vickrey, Victors, Weber, Wetta, Williams, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Burroughs, Davis, Dillmore, Feuerborn, Flaharty, S. Gatewood, Grant, Grosserode, Henderson, Henry, Kinzer, Kuether, Landwehr, Loganbill, Mah, McLeland, Meier, Pauls, Phelps, Rubin, Ruiz, Smith, Tietze, Trimmer, Tyson, Winn.

Present but not voting: None.

Absent or not voting: Carlin, Collins, Lane, LeDoux, McCray-Miller, Mesa, Moxley, Peterson, Rhoades, Ward, B. Wolf.

On motion of Rep. Crum to concur in Senate amendments to **HB 2453**, the motion was withdrawn.

On motion of Rep. Siegfried, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 11** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 6, by striking all after "Section 1."; by striking all in lines 7 through 13 and inserting:

"K.S.A. 2011 Supp. 72-978 is hereby amended to read as follows: 72-978. (a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option budgets of all school districts;

(2) subtract from the amount determined in paragraph (1) the total amount attributable to assignment of transportation weighting, program weighting, special education weighting and at-risk pupil weighting to enrollment of all school districts;

(3) divide the remainder obtained in paragraph (2) by the total number of full-time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in paragraph (3) by the full-time equivalent enrollment determined in paragraph (4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under paragraphs (6) and (7) to the amount of the product obtained under paragraph (5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under paragraph (8) from the amount determined under paragraph (9); and

(11) multiply the remainder obtained under paragraph (10) by 92%.

The computed amount is the amount of state aid for the provision of special education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall be entitled to receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children; such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services; such reimbursement shall not be paid if such child has been counted in determining the transportation weighting of the district under the provisions of the school district finance and quality performance act;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services; such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) ~~subject to the provisions of subsection (f) and~~ except for those school districts entitled to receive reimbursement under subsection (c) or (d), after subtracting the amounts of reimbursement under paragraphs (1), (2) and (3) of this subsection (a) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the

district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall be entitled to receive reimbursement under subsection (b)(4). The amount of such reimbursement for the district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, the Atchison juvenile correctional facility, the Larned juvenile correctional facility, or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

~~(f) (1) In school year 2012-2013 and in each school year thereafter, the state board of education shall determine the minimum and maximum amount of state aid that a school district may receive under paragraph (4) of subsection (b) for the current school year as follows:~~

~~(A) Determine the total amount of moneys appropriated as state aid for the provision of special education and related services to all school districts for the current school year;~~

~~(B) subtract the amount of moneys paid to all school districts under paragraphs (1), (2) and (3) of subsection (b) of this section, K.S.A. 72-983 and K.S.A. 2011 Supp. 72-998, and amendments thereto, for the current school year;~~

~~(C) divide the remainder obtained under (B) by the total full-time equivalent enrollment of all school districts in the current school year;~~

~~(2) (A) multiply the quotient obtained under (1) (C) by the full-time equivalent enrollment of the school district in the current school year;~~

~~(B) multiply the product obtained under (2) (A) by .75. The product is the minimum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year;~~

~~(C) multiply the quotient obtained under (2) (A) by 1.50. The product is the maximum amount of state aid the district may receive under paragraph (4) of subsection (b) for the current school year.~~

~~(3) If the amount determined under paragraph (4) of subsection (b) is less than the product obtained under (2)(B), the district shall receive state aid in an amount equal to the product obtained under (2)(B), plus any amount determined under paragraph (5) of this subsection.~~

~~(4) If the amount determined under paragraph (4) of subsection (b), plus any amount determined under paragraph (5) of this subsection, is greater than the product~~

~~obtained under (2)(C), the district shall receive state aid in an amount equal to the product obtained under (2)(C). The balance of state aid remaining after determining the amount of state aid payable to districts under this paragraph shall be reallocated to districts as provided by paragraph (5) of this subsection.~~

~~(5) The balance of state aid remaining after determining the amount of state aid payable to districts under paragraph (4) of this subsection shall be reallocated to districts which have not received state aid in an amount equal to the product obtained under (2)(B). Such state aid shall be reallocated to such districts in the same manner as the original allocation. If the balance is insufficient to pay each such district the minimum amount specified in this subsection, the state board shall prorate the balance among such districts.~~

~~(6) The provisions of this subsection (f) shall expire on June 30, 2014";~~

~~Also on page 1, in line 14, by striking "2010" and inserting "2011";~~

~~On page 2, following line 13, by inserting:~~

~~"Sec. 3. K.S.A. 2011 Supp. 72-6433d is hereby amended to read as follows: 72-6433d. (a) (1) The provisions of this subsection shall apply in any school year in which the amount of base state aid per pupil is \$4,433 or less.~~

~~(2) The board of any school district may adopt a local option budget which does not exceed the local option budget calculated as if the base state aid per pupil was \$4,433, or which does not exceed an amount as authorized by the local option budget as calculated pursuant to K.S.A. 72-6433, and amendments thereto, whichever is greater.~~

~~(b)(1) The provisions of this subsection shall apply in any school year in which the amount appropriated for state aid for special education and related services is less than the amount appropriated for state aid for special education and related services in school year 2008-2009.~~

~~(2) The board of education of any school district may adopt a local option budget which does not exceed the local option budget calculated as if the district received state aid for special education and related services equal to the amount of state aid for special education and related services received in school year 2008-2009, or which does not exceed an amount as authorized by the local option budget as calculated pursuant to K.S.A. 72-6433, and amendments thereto, whichever is greater.~~

~~(c) The board of education of any school district may exercise the authority granted under subsection (a) or (b) or both subsections (a) and (b).~~

~~(d) To the extent that the provisions of K.S.A. 72-6433, and amendments thereto, conflict with this section, this section shall control.~~

~~(e) The provisions of this section shall expire on June 30, 2014.~~

~~Sec. 4. K.S.A. 2011 Supp. 72-965 is hereby amended to read as follows: 72-965. (a) The state board shall be responsible for the distribution and allocation of state and federal funds for special education. Such moneys shall be expended only in accordance with and for the purposes specified in federal or state law. Payments under this act may be made in installments and in advance or by way of reimbursement, with necessary adjustments for overpayments or underpayments. Federal funds for special education shall be deposited in the state treasury.~~

~~(b) The state board is hereby authorized to accept from an individual or individuals, the United States government or any of its agencies or any other public or private body, grants or contributions of money, funds or property which the state board may authorize to be used in accordance with appropriation acts, for or in aid of special education or~~

related services or any of the purposes authorized by the federal law or this act.

(c) (1) Each board may use up to 15% of the amount it receives each year under the federal law to develop and implement coordinated, early intervening services for students in kindergarten through grade 12, with a particular emphasis on students in kindergarten through grade three, who have not been identified as needing special education or related services but who appear to need additional academic and behavioral support to succeed in a general education environment.

(2) In implementing coordinated, early intervening services under this subsection, a board may carry out activities that include:

(A) Providing professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive and instructional software; and

(B) providing educational and behavioral evaluations, services and supports, including scientifically based literacy instruction.

(3) Each board that develops and maintains coordinated, early intervening services under this subsection shall annually report to the department:

(A) The number of students served under this subsection; and

(B) the number of students served under this subsection who subsequently receive special education and related services under this title during the two-year period preceding each report.

(d) Except for moneys received under K.S.A. 72-978, and amendments thereto, from cooperative agreements entered into under K.S.A. 72-968, and amendments thereto, any unencumbered balance of moneys attributable to appropriations by the legislature for special education or related services remaining in the special education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's special education fund.

Sec. 5. K.S.A. 2011 Supp. 72-3607 is hereby amended to read as follows: 72-3607.

(a) There is hereby established in every school district which has developed and is operating a parent education program for which grants are awarded under this act a fund which shall be called the parent education program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for a parent education program operated under this act shall be credited to the fund established by this section. Amounts deposited in the parent education program fund shall be used exclusively for the payment of expenses directly attributable to the program.

(b) Any unencumbered balance of moneys remaining in the parent education program fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 6. K.S.A. 2011 Supp. 72-3715 is hereby amended to read as follows: 72-3715.

(a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil shall be in attendance at the virtual school on: (1) A single school day on or before

September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each pupil enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the pupil was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the pupil was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under paragraphs (1) and (2);

(4) divide the sum obtained under paragraph (3) by 12. The quotient is the full-time equivalent enrollment of the pupil.

(c) The school days on which a district determines the full-time equivalent enrollment of a pupil under paragraphs (1) and (2) of subsection (b) shall be the school days on which the pupil has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities.

(d) (1) Subject to the availability of appropriations for virtual school state aid and within the limits of any such appropriations, each school year a school district which offers a virtual school shall be entitled to virtual school state aid.

(2) The state board of education shall determine the amount of virtual school state aid a school district is entitled to receive as follows:

(A) Multiply the full-time equivalent enrollment of the virtual school by an amount equal to 105% of the amount of base state aid per pupil;

(B) multiply the full-time equivalent enrollment of nonproficient at-risk pupils enrolled in an approved at-risk program offered by the virtual school, if any, by an amount equal to 25% of the amount of base state aid per pupil;

(C) add any amount determined under K.S.A. 2011 Supp. 72-3716, and amendments thereto; and

(D) add the amounts obtained under ~~paragraphs~~ subparagraphs (A) through (C). The sum is the amount of the virtual school state aid to which the school district is entitled.

(3) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Moneys received as virtual school state aid shall be deposited in the general fund of the school district and transferred to the virtual school fund of the district. The expenses of a district directly attributable to virtual schools offered by a school district shall be paid from the virtual school fund. The cost of an advance placement course provided to a pupil described in subsection (d)(2)(D) shall be paid by the virtual school.

Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

Any unencumbered balance of moneys remaining in the virtual school fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011~~2012

that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(e) For the purposes of this section, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school.

Sec. 7. K.S.A. 2011 Supp. 72-6414a is hereby amended to read as follows: 72-6414a. (a) There is hereby established in every district a fund which shall be called the at-risk education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to providing at-risk assistance or programs, including assistance or programs provided to nonproficient pupils, shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the at-risk education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the at-risk program or assistance provided by the district. Such report shall include information specifying the number of at-risk pupils and nonproficient pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

(d) In order to achieve uniform reporting of the number of at-risk pupils and nonproficient pupils provided service or assistance by school districts in at-risk programs, districts shall report the number of at-risk pupils and nonproficient pupils served or assisted in the manner required by the state board.

Sec. 8. K.S.A. 2011 Supp. 72-6414b is hereby amended to read as follows: 72-6414b. (a) There is hereby established in every district a fund which shall be called the preschool-aged at-risk education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to providing preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

(b) A school district may expend amounts received from the preschool-aged at-risk weighting to pay the cost of providing at-risk, bilingual and vocational education

programs and services.

(c) Any balance remaining in the preschool-aged at-risk education fund at the end of the budget year shall be carried forward into the preschool-aged at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the preschool-aged at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the preschool-aged at-risk education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(d) Each year the board of education of each school district shall prepare and submit to the state board a report on the preschool-aged at-risk program or assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 9. K.S.A. 2011 Supp. 72-6420 is hereby amended to read as follows: 72-6420.

(a) There is hereby established in every district a fund which shall be called the special education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the district from whatever source for special education shall be credited to the special education fund established by this section, except that: (1) Amounts of payments received by a district under K.S.A. 72-979, and amendments thereto, and amounts of grants, if any, received by a district under K.S.A. 72-983, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2) moneys received by a district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be credited to the special fund established under the agreements.

(b) The expenses of a district directly attributable to special education shall be paid from the special education fund and from special funds established under K.S.A. 72-968, and amendments thereto.

(c) Obligations of a district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be paid from the special education fund established by this section.

(d) Except for moneys received under K.S.A. 72-978, and amendments thereto, from cooperative agreements entered into under K.S.A. 72-968, and amendments thereto, any unencumbered balance of moneys attributable to appropriations by the legislature for special education or related services remaining in the special education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's special education fund.

Sec. 10. K.S.A. 2011 Supp. 72-6421 is hereby amended to read as follows: 72-6421. (a) There is hereby established in every district a fund which shall be called the vocational education fund. All moneys received by a district for any course or program authorized and approved under the provisions of article 44 of chapter 72 of Kansas Statutes Annotated, and amendments thereto, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. All moneys received by the district from tuition, fees or charges or from any other source for vocational education courses or programs, except for courses and programs conducted in an area vocational school, shall be credited to the vocational education fund. The expenses of a district directly attributable to vocational education shall be paid from the vocational education fund.

(b) Obligations of a district pursuant to lawful agreements made under K.S.A. 72-4421, and amendments thereto, shall be paid from the vocational education fund established by this section. If any such agreement expresses an obligation of a district in terms of a mill levy, such obligation shall be construed to mean an amount equal to that which would be produced by the levy.

(c) Any balance remaining in the vocational education fund at the end of the budget year shall be carried forward into the vocational education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the vocational education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys attributable to appropriations by the legislature in the vocational education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012 that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 11. K.S.A. 2011 Supp. 72-6423 is hereby amended to read as follows: 72-6423. (a) There is hereby established in every district a fund which shall be called the driver training fund which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the district from distributions made from the state safety fund and the motorcycle safety fund and from tuition, fees or charges for driver training courses shall be credited to the driver training fund. The expenses of a district directly attributable to driver training shall be paid from the driver training fund.

(b) Any unencumbered balance of moneys remaining in the driver training fund of a school district on June 30, ~~2011~~2012, may be expended in the school year 2011-2012 that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 12. K.S.A. 2011 Supp. 72-6426 is hereby amended to read as follows: 72-6426. (a) There is hereby established in every district a fund which shall be called the contingency reserve fund. Such fund shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a district attributable to financial contingencies as determined by the board.

(b)-(4) Except as otherwise provided in subsection (c), at no time in school year

2008-2009 ~~through school year 2011-2012~~ or each school year thereafter shall the amount maintained in the contingency reserve fund exceed an amount equal to 10% of the general fund budget of the district for the school year.

~~(2) Except as otherwise provided in subsection (c), at no time in school year 2012-2013 2015-2016 or any school year thereafter shall the amount maintained in the contingency reserve fund exceed an amount equal to 6% of the general fund budget of the district for the school year.~~

(c) (1) If the amount in the contingency reserve fund of a district is in excess of the amount authorized under subsection (b), and if such excess amount is the result of a reduction in the general fund budget of the district for the school year because of a decrease in enrollment, the district may maintain the excess amount in the fund until depletion of such excess amount by expenditure from the fund for the purposes thereof.

(2) The limitation on the amount which may be maintained in the contingency reserve fund imposed under subsection (b) shall not apply to any district whose state financial aid is computed under the provisions of K.S.A. 72-6445a, and amendments thereto. Any such district may maintain the excess amount in the fund until depletion of such excess amount by expenditure from the fund for the purposes thereof.

(d) Notwithstanding the provisions of subsection (c), any unencumbered balance of moneys remaining in the contingency reserve fund of a school district on June 30, ~~2011-2012~~, may be expended ~~in school year 2011-2012~~ the school year that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

Sec. 13. K.S.A. 2011 Supp. 72-6460 is hereby amended to read as follows: 72-6460. (a) For school year ~~2011-2012~~ 2012-2013, subject to any limitations as provided in this act, any school district may expend the unencumbered balance of the moneys held in the at-risk education fund, as provided in K.S.A. 76-6414a, and amendments thereto, bilingual education fund, as provided in K.S.A. 72-9509, and amendments thereto, contingency reserve fund, as provided in K.S.A. 72-6426, and amendments thereto, driver training fund, as provided in K.S.A. 72-6423, and amendments thereto, parent education program fund, as provided in K.S.A. 72-3607, and amendments thereto, preschool-aged at-risk education fund, as provided in K.S.A. 72-6414b, and amendments thereto, professional development fund, as provided in K.S.A. 72-9609, and amendments thereto, summer program fund, as provided in K.S.A. 72-8237, and amendments thereto, textbook and student materials revolving fund, as provided in K.S.A. 72-8250, and amendments thereto, special education fund, as provided in K.S.A. 72-965 and 72-6420, and amendments thereto, virtual school fund, as provided in K.S.A. 72-3715, and amendments thereto, and vocational education fund, as provided in K.S.A. 72-6421, and amendments thereto, to pay for general operating expenses of the district out of the general fund as approved by the board of education of such district.

The board of education of a school district shall consider the use of such funds in the following order of priority:

(1) At-risk education fund, bilingual education fund, contingency reserve fund, driver training fund, parent education program fund, preschool-aged at-risk education fund, professional development fund, summer program fund, virtual school fund and vocational education fund;

(2) textbook and student materials revolving fund; and

(3) special education fund.

The board of education of a school district shall not be limited to the order of priority as listed in this subsection if the board so chooses. The board of education of a school district shall not be required to use the total amount of the unencumbered balance of moneys in a fund before using the unencumbered balance of moneys in another fund.

(b) The amount of money expended by a school district in school year ~~2011-2012~~2012-2013 from the unencumbered balance of moneys in the funds under subsection (a) of this section shall not exceed, in the aggregate, an amount determined by the state board of education. Such amount shall be determined by the state board as follows:

(1) Determine the adjusted enrollment of the district, excluding special education and related services weighting, for the current school year;

~~(2) subtract the amount of base state aid per pupil appropriated to the department of education for fiscal year 2012 from \$4,012; and~~

~~(3)~~(2) multiply the ~~difference obtained~~ adjusted enrollment determined under paragraph ~~(2)~~ (1) by ~~the number determined under paragraph (1) \$250~~. The product is the aggregate amount of moneys that may be expended by a school district in the current school year ~~2011-2012~~ from the unencumbered balance of moneys in the funds under subsection (a) of this section.

(c) It is the public policy goal of the state of Kansas that at least 65% of the aggregate of all unencumbered balances authorized to be expended for general operating expenses pursuant to subsection (a) shall be expended in the classroom or for instruction, as provided in K.S.A. 2011 Supp. 72-64c01, and amendments thereto.

Sec. 14. K.S.A. 2011 Supp. 72-8237 is hereby amended to read as follows: 72-8237. (a) The board of education of any school district may: (1) Establish, operate and maintain a summer program for pupils; (2) enter into cooperative or interlocal agreements with one or more other boards of education for the establishment, operation and maintenance of a summer program for pupils; and (3) prescribe and collect fees for providing a summer program for pupils or provide such program without charge.

(b) Fees for providing a summer program for pupils shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the program.

(c) No school district may collect fees for providing a summer program for pupils required to attend such a program in accordance with the provisions of law, rules and regulations of the state board of education, policy of the board of education, or an individualized education plan developed for an exceptional child.

(d) There is hereby established in every district which establishes, operates and maintains a summer program a fund which shall be called the summer program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by a district from fees collected under this section or from any other source for summer programs shall be credited to the summer program fund. The expenses of a district directly attributable to summer programs shall be paid from the summer program fund.

Any unencumbered balance of moneys remaining in the summer program fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012~~ that immediately succeeds such date by the school district for general operating expenses of the school district as approved by the board of education.

(e) As used in this section, the term "summer program" means a program which is

established by the board of education of a school district and operated during the summer months for the purpose of giving remedial instruction to pupils or for the purpose of conducting special projects and activities designed to enrich and enhance the educational experience of pupils, or for both such purposes.

Sec. 15. K.S.A. 2011 Supp. 72-8250 is hereby amended to read as follows: 72-8250. (a) There is hereby established in every school district a textbook and student materials revolving fund. Moneys in such fund shall be used to:

(1) Purchase any items designated in K.S.A. 72-5389, and amendments thereto;

(2) pay the cost of materials or other items used in curricular, extracurricular or other school-related activities; and

(3) purchase textbooks as authorized by K.S.A. 72-4141, and amendments thereto.

(b) Any balance remaining in the textbook and student materials revolving fund at the end of the budget year shall be carried forward into that fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the textbook and student materials revolving fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the textbook and student materials revolving fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012- that immediately succeeds such date~~ by the school district for general operating expenses of the school district as approved by the board of education in an amount not to exceed $\frac{1}{3}$ of the unencumbered balance of the school district's textbook and student materials revolving fund.

Sec. 16. K.S.A. 2011 Supp. 72-9509 is hereby amended to read as follows: 72-9509. (a) There is hereby established in every school district a fund which shall be called the bilingual education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a district directly attributable to such bilingual education programs shall be paid from the bilingual education fund.

(b) Any balance remaining in the bilingual education fund at the end of the budget year shall be carried forward into the bilingual education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the bilingual education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Any unencumbered balance of moneys remaining in the bilingual education fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012- that immediately succeeds such date~~ by the school district for general operating expenses of the school district as approved by the board of education.

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the bilingual education program and assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the

research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 17. K.S.A. 2011 Supp. 72-9609 is hereby amended to read as follows: 72-9609. There is hereby established in every school district a fund which shall be called the professional development fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district from whatever source for professional development programs established under this act shall be credited to the fund established by this section. The expenses of a school district directly attributable to professional development programs shall be paid from the professional development fund.

Any unencumbered balance of moneys remaining in the professional development fund of a school district on June 30, ~~2011~~2012, may be expended in the school year ~~2011-2012- that immediately succeeds such date~~ by the school district for general operating expenses of the school district as approved by the board of education.";

And by renumbering sections accordingly;

Also on page 2, in line 14, by striking all after "K.S.A." and inserting "2011 Supp. 72-965, 72-978, 72-1046b, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-6433d, 72-8237, 72-8250, 72-9509 and 72-9609 are hereby repealed.";

On page 1, in the title, in line 1, by striking all following "concerning"; in line 2, by striking all before the semicolon and inserting "education"; in line 3, by striking "2010 Supp. 72-1046b" and inserting "2011 Supp. 72-965, 72-978, 72-1046b, 72-3607, 72-3715, 72-6414a, 72-6414b, 72-6420, 72-6421, 72-6423, 72-6426, 72-6460, 72-6433d, 72-8237, 72-8250, 72-9509 and 72-9609"; also in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

CLAY AURAND
STEVE HUEBERT
JIM WARD

Conferees on part of House

JEAN SCHODORF
JOHN VRATIL
ANTHONY HENSLEY

Conferees on part of Senate

On motion of Rep. Aurand, the conference committee report on **SB 11** was adopted.

On roll call, the vote was: Yeas 100; Nays 12; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Arpke, Aurand, Ballard, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Davis, DeGraaf, Denning, Donohoe, Fawcett, Finney, Flaharty, Frownfelter, Garber, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleebl, Knox, Kuether, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Montgomery,

Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Bethell, Billinger, Crum, Dillmore, Feuerborn, D. Gatewood, Grant, Henry, Kelly, Otto, Swanson, Williams.

Present but not voting: None.

Absent or not voting: Carlin, Collins, Landwehr, Lane, LeDoux, McCray-Miller, Mesa, Peterson, Rhoades, Shultz, Suellentrop, Ward, B. Wolf.

EXPLANATION OF VOTE

MR. SPEAKER: Busing snuck in at the last moment (no time to call home) will hurt rural schools if not destroy them. I vote no on **SB 11**. – BILL OTTO

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Crum, the House concurred in Senate amendments to **HB 2453**, AN ACT concerning the commission on disability concerns; amending K.S.A. 2011 Supp. 74-6701, 74-6702, 74-6703, 74-6706 and 74-6707 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 74-6709.

On roll call, the vote was: Yeas 112; Nays 0; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Slattery, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Carlin, Collins, Landwehr, Lane, LeDoux, McCray-Miller, Mesa, Peterson, Rhoades, Shultz, Suellentrop, Ward, B. Wolf.

MESSAGE FROM THE GOVERNOR

S Sub for HB 2313; HB 2324; S Sub for HB 2596; HB 2757 approved on May 17, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2077; S Sub for HB 2267; HB 2464, HB 2502, HB 2613; Sub HB 2689; S Sub for HB 2730 reported correctly enrolled, properly signed and presented to

the Governor on May 18, 2012.

On motion of Rep. Siegfried, the House adjourned until 11:00 a.m., Saturday, May 19, 2012.

Journal of the House

SEVENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Saturday, May 19, 2012, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Vickrey in the chair.

The roll was called with 116 members present.

Rep. LeDoux was excused on verified illness.

Reps. Collins, S. Gatewood, Lane, McCray-Miller, Shultz, Slattery, Ward and B. Wolf were excused on excused absence by the Speaker.

Reps. Johnson, Mah, Meigs and Otto were excused later in the day on excused absence by the Speaker.

Present later: Reps. S. Gatewood, Mah and Meigs.

Prayer by Rep. Bethell:

Our Father,

This is the day that you have made, let us rejoice and be glad in it.

We thank you for your watch care over us and ask for your continued involvement with our lives. Isaiah tell us that “your ways are not our ways and your thoughts are not our thoughts” yet as we get to the teachings of your Son we learn that we are to emulate Him. That necessitates our study of Him and His teachings.

Those teachings can be summarized from the writings of Matthew when Jesus said there are two commandments: one dealing with our relationship with you in that we should love you with all of our heart, mind and soul. And the second commandment, that we should love our neighbor as our self. He then tells us that upon those rest all the law and the prophets.

Remind us O Lord that we are to become like you in all of our dealings. I ask this in your name, Amen.

The Pledge of Allegiance was led by Rep. Trimmer.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2515**, as amended.

Also, Announcing passage of **HB 2087**, as amended by **S Sub for HB 2087**.

Also, the Senate adopts the Conference Committee report on **SB 11**.

Announcing passage of **HB 2619**, as amended by **S Sub for HB 2619**.

MOTIONS TO CONCUR AND NONCONCUR

Speaker pro tem Vickrey announced that, in accordance with House Rule 2107, the Senate amendments to **S Sub for HB 2087** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

S Sub for HB 2087 was thereupon introduced and read by title.

Speaker pro tem Vickrey thereupon referred the bill to Committee on Redistricting.

Speaker pro tem Vickrey announced that, in accordance with House Rule 2107, the Senate amendments to **HB 2515** do materially change its subject and therefor is not subject to Motions to Concur and Nonconcur.

HB 2515 was thereupon introduced and read by title.

Speaker pro tem Vickrey thereupon referred the bill to Committee on Appropriations.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HR 6025, supporting the efforts of the Operation Freedom Memorial Foundation, Inc. to establish a war memorial in Veterans Memorial Park in Wichita, Kansas, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 0; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Carlin, Collins, S. Gatewood, Grange, Henderson, Huebert, Lane, LeDoux, McCray-Miller, Shultz, Slattery, Ward, Winn, B. Wolf.

The resolution was adopted.

H Sub for H Sub for SB 145, AN ACT concerning reapportionment; relating to congressional districts; providing for the reapportionment thereof; repealing K.S.A. 2011 Supp. 4-136, 4-137, 4-138, 4-139, 4-140, 4-141 and 4-142, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 64; Nays 51; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Bowers, Bruchman, Brunk, Burgess,

Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Fawcett, Goico, Goodman, Gordon, Grosserode, Hayzlett, Hedke, Hermanson, Hill, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, KleeB, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Patton, Peck, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schwab, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Vickrey, Weber.

Nays: Ballard, Bethell, Bollier, Brookens, Brown, Burroughs, Carlin, Colloton, Davis, Dillmore, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Gonzalez, Grant, Gregory, Henderson, Henry, Hildabrand, Hineman, Kuether, Loganbill, Mah, Meier, Moxley, O'Hara, Otto, Pauls, Peterson, Phelps, Pottorff, Roth, Ruiz, Schroeder, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Victors, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Grange, Lane, LeDoux, McCray-Miller, Shultz, Slattery, Ward, B. Wolf.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote "YES" on **H Sub for H Sub for SB 145**. One disgruntled Congressman should not dictate what the Kansas Legislature should do with regard to the constitutionally required redrawing of congressional district lines. **H Sub for H Sub for SB 145** offers yet another alternative for the required balancing of Kansas population among the four congressional districts, one that recognizes that the 1st District will probably continue to lose population and the 3rd District will continue to gain population. These two districts need to be contiguous. **H Sub for H Sub for SB 145** accomplishes that in a reasonable and compact way. – MIKE O'NEAL

MR. SPEAKER: I vote No on this map (**H Sub for H Sub for SB 145**) not that I like or dislike the map. But after sitting for hours on a call of the house I cannot support the bullying measures taken. I have seen people brought in on their death bed for a vote. I am the No Bull Zone and the way this is passed is outside the zone. – BILL OTTO

MR. SPEAKER: I vote no on **H Sub for H Sub for SB 145**. My constituents in Leavenworth County are opposed to this map. The Leavenworth/Lansing Chamber of Commerce has written to the Redistricting Committee to express its opposition to dividing Fort Riley from Fort Leavenworth in their representation in Congress. I have received multiple comments from constituents who feel they are being used in a gerrymandering scheme to the detriment of the county and Kansas has become a laughing stock. They do not feel they are a community of interest with the western part of Kansas and the Congressman for Western Kansas agrees. – MELANIE MEIER

MR. SPEAKER: I support Riley County staying in the 2nd District. I testified in the Redistricting Committee to keep Riley County in the 2nd District because I believe it is better for rural Kansas to have a strong 1st District and for Manhattan to remain in a more urban 2nd District.

I supported most of over 20 maps that keep Riley County in the 2nd District but this map is a direct gerrymandering that violates the community of interest requirement. If

this bill fails we will go back to work on it again. We can do better. I vote no on **H Sub for H Sub for SB 145**. – SYDNEY CARLIN

H Sub for SB 291, AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 18; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Wetta, Williams, K. Wolf, Worley.

Nays: Ballard, Burroughs, Davis, Dillmore, Finney, Flaharty, Frownfelter, Henderson, Kuether, Loganbill, Meier, Peterson, Ruiz, Spalding, Tietze, Victors, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Grange, Kelley, Lane, LeDoux, McCray-Miller, Shultz, Slattery, Ward, B. Wolf.

The substitute bill passed, as amended.

H Sub for SB 434, AN ACT concerning real estate; concerning the proceeds from the sale of surplus real estate; relating to the selling and purchasing of land; amending K.S.A. 2011 Supp. 75-6609 and repealing the existing section; also repealing K.S.A. 2011 Supp. 75-6609, as amended by section 65 of 2012 Substitute for Senate Bill No. 397, was considered on final action.

On roll call, the vote was: Yeas 91; Nays 23; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Trimmer, Tyson, Vickrey, Weber, Wetta, K. Wolf, Wolfe Moore, Worley.

Nays: Burroughs, Carlin, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Grant, Henderson, Henry, Kuether, Loganbill, Mah, Meier, Peterson, Phelps, Ruiz, Tietze, Victors, Williams, Winn.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Grange, Kelley, Lane, LeDoux, McCray-Miller, Shultz, Slattery, Ward, B. Wolf.

The substitute bill passed.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2175, HB 2435, HB 2604; S Sub HB 2619.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **Substitute for SB 307** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2011 Supp. 21-5107 is hereby amended to read as follows: 21-5107. (a) A prosecution for murder, terrorism or illegal use of weapons of mass destruction may be commenced at any time.

(b) Except as provided in subsection (e), a prosecution for any crime shall be commenced within 10 years after its commission if the victim is the Kansas public employees retirement system.

(c) Except as provided in subsection (e), a prosecution for a sexually violent offense as defined in K.S.A. 22-3717, and amendments thereto, shall be commenced within the limitation of time provided by the law pertaining to such offense or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

(d) Except as provided by subsection (e), a prosecution for any crime, as defined in K.S.A. 2011 Supp. 21-5102, and amendments thereto, not governed by subsections (a), (b) or (c) shall be commenced within five years after it is committed.

(e) The period within which a prosecution shall be commenced shall not include any period in which:

(1) The accused is absent from the state;

(2) the accused is concealed within the state so that process cannot be served upon the accused;

(3) the fact of the crime is concealed;

(4) a prosecution is pending against the defendant for the same conduct, even if the indictment or information which commences the prosecution is quashed or the proceedings thereon are set aside, or are reversed on appeal;

(5) an administrative agency is restrained by court order from investigating or otherwise proceeding on a matter before it as to any criminal conduct defined as a violation of any of the provisions of article 41 of chapter 25 and article 2 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, which may be discovered as a result thereof regardless of who obtains the order of restraint; or

(6) whether the fact of the crime is concealed by the active act or conduct of the accused, there is substantially competent evidence to believe two or more of the

following factors are present:

(A) The victim was a child under 15 years of age at the time of the crime;

(B) the victim was of such age or intelligence that the victim was unable to determine that the acts constituted a crime;

(C) the victim was prevented by a parent or other legal authority from making known to law enforcement authorities the fact of the crime whether or not the parent or other legal authority is the accused; and

(D) there is substantially competent expert testimony indicating the victim psychologically repressed such witness' memory of the fact of the crime, and in the expert's professional opinion the recall of such memory is accurate and free of undue manipulation, and substantial corroborating evidence can be produced in support of the allegations contained in the complaint or information but in no event may a prosecution be commenced as provided in ~~this section~~ subsection (e)(6) later than the date the victim turns 28 years of age. Corroborating evidence may include, but is not limited to, evidence the defendant committed similar acts against other persons or evidence of contemporaneous physical manifestations of the crime.

(f) An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing offense plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed except if the offense charged is a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, and the victim was under 18 years of age at the time of the offense, then time shall start to run on the day after the victim's 18th birthday.

(g) A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution. No such prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(h) As used in this section, "parent or other legal authority" shall include, but not be limited to, natural and stepparents, grandparents, aunts, uncles or siblings.";

On page 2, by striking all in lines 9 through 19 and inserting:

"Sec. 3. K.S.A. 2011 Supp. 21-5909 is hereby amended to read as follows: 21-5909. (a) Intimidation of a witness or victim is preventing or dissuading, or attempting to prevent or dissuade, with an intent to vex, annoy, harm or injure in any way another person or an intent to thwart or interfere in any manner with the orderly administration of justice:

(1) Any witness or victim from attending or giving testimony at any civil or criminal trial, proceeding or inquiry authorized by law; or

(2) any witness, victim or person acting on behalf of a victim from:

(A) Making any report of the victimization of a victim to any law enforcement officer, prosecutor, probation officer, parole officer, correctional officer, community correctional services officer or judicial officer, the secretary of the department of social and rehabilitation services or any agent or representative of the secretary, or any person required to make a report pursuant to K.S.A. 2011 Supp. 38-2223, and amendments thereto;

(B) causing a complaint, indictment or information to be sought and prosecuted, or causing a violation of probation, parole or assignment to a community correctional services program to be reported and prosecuted, and assisting in its prosecution;

(C) causing a civil action to be filed and prosecuted and assisting in its prosecution;
or

(D) arresting or causing or seeking the arrest of any person in connection with the victimization of a victim.

(b) Aggravated intimidation of a witness or victim is intimidation of a witness or victim, as defined in subsection (a), when the:

(1) Act is accompanied by an expressed or implied threat of force or violence against a witness, victim or other person or the property of any witness, victim or other person;

(2) act is in furtherance of a conspiracy;

(3) the act is committed by a person who has been previously convicted of corruptly influencing a witness or has been convicted of a violation of this section or any federal or other state's statute which, if the act prosecuted was committed in this state, would be a violation of this section;

(4) witness or victim is under 18 years of age; or

(5) act is committed for pecuniary gain or for any other consideration by a person acting upon the request of another person.

(c) (1) Intimidation of a witness or victim is a class B person misdemeanor.

(2) Aggravated intimidation of a witness or victim is a severity level 6, person felony.";

On page 3, in line 40, after "(g)" by inserting "If the defendant, or defendant's attorney in consultation with the defendant, requests a delay and such delay is granted, the delay shall be charged to the defendant regardless of the reasons for making the request, unless there is prosecutorial misconduct related to such delay.";

And by renumbering sections accordingly;

On page 4, in line 22, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

On page 1, in the title, in line 2, following the first "to" by inserting "the statute of limitations for sexually violent crimes when the victim is a child;"; also in line 2, by striking "relating to" and inserting "intimidation of a witness;"; in line 4, by striking "21-5109" and inserting "21-5107, 21-5109 and 21-5909";

And your committee on conference recommends the adoption of this report.

PAT COLLOTON

LANCE KINZER

MELANIE MEIER

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Colloton, the conference committee report on **Sub SB 307** was adopted.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers,

Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffinan, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Grange, Kelley, Lane, LeDoux, Mah, McCray-Miller, Rhoades, Schwartz, Shultz, Slattery, Ward, B. Wolf.

CHANGE OF CONFEREES

Speaker pro tem Vickrey announced the appointment of Rep. Rhoades as a member of the conference committee on **H Sub for SB 294** to replace Rep. Schwartz.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2175** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 5 through 7, and inserting:

"Section 1. Sections 1 through 9, and amendments thereto, may be known and cited as the Kansas one map act.

Sec. 2. Kansas one map requires the implementation of an overall Kansas land and geographic resources program through the use of a geographic information system which requires cooperative methods for development and maintenance of spatial data between state and local governments in Kansas.

Sec. 3. As used in sections 2 through 9, and amendments thereto, unless the context shows otherwise:

(a) "Board" means the Kansas geographic information systems policy board.

(b) "Geographic information" means data and datasets containing location information including, but not limited to, remotely sensed imagery, global positioning systems files, geospatially referenced computer-aided design files, digital cartographic products, spatially enabled databases, and geospatial datasets locating and describing features and their attributes on, above or under the earth.

(c) "Geographic information systems" or "GIS" is an information system capable of capturing, integrating, storing, editing, analyzing, managing, sharing and displaying geographic information. A GIS involves computer hardware, software, networks and applications, as well as the people to operate, develop, administer and use them.

(d) "Spatial data" is also known as geospatial data or geographic information and means the data or information that identifies the geographic location of features and boundaries on earth, such as natural or constructed features, oceans and more. Spatial data is usually stored as coordinates and topology and is data that can be mapped. Spatial data is often accessed, manipulated or analyzed through geographic information systems (GIS).

Sec. 4. (a) There is hereby established the Kansas geographic information systems policy board within the office of information technology services.

(b) The board shall consist of 23 members:

(1) The governor shall appoint 11 members as follows: Five representatives of local government, including cities, counties or local government consortia of cities, counties, non-profit and private sector enterprises. Such members may include, but are not limited to, representatives from city and county commissions or planning councils, tribal government, law enforcement, county clerks, county appraisers and emergency planning divisions; two representatives of the board of regents institutions; and two executives representing the private sector. Members from the private sector may include, but are not limited to, representatives from the trucking industry, utilities, telecommunications, publishers, agriculturalists, oil and gas industry, chambers of commerce, aircraft and auto industry and the banking community; and two representatives from relevant statewide businesses or professional organizations, such as statewide associations of groundwater management districts, emergency planning, law enforcement, licensed surveyors and other relevant technical professions or agriculture-related businesses.

(2) The remaining 12 members shall be:

(A) The executive chief information technology officer of the office of information technology services or such officer's designee;

(B) the director of the Kansas water office or such director's designee;

(C) the state biologist of the Kansas biological survey or the state biologist's designee;

(D) the state geologist of the Kansas geological survey or the state geologist's designee;

(E) the executive director of the Kansas historical society or such executive director's designee;

(F) the secretary of agriculture or such secretary's designee;

(G) the secretary of health and environment or such secretary's designee;

(H) the director of legislative research of the legislative research department or such director's designee;

(I) the secretary of revenue or such secretary's designee;

(J) the secretary of transportation or such secretary's designee;

(K) the state librarian or such librarian's designee; and

(L) the executive director of the information network of Kansas or such executive director's designee.

(c) Members appointed by the governor under subsection (b)(1) shall be appointed for a four-year term and until such member's successors are appointed and qualified, except as provided in subsection (d). Members not appointed by the governor under subsection (b)(1) shall serve consistent with their terms of office, employment or appointment.

(d) The governor may remove a member from the board for lack of attendance or lack of participation.

(e) The governor shall select a chairperson and vice-chairperson from among the members of the board who shall serve as chairperson and vice-chairperson at the discretion of the governor. The board may elect other officers among its members and may establish any committees deemed necessary to discharge its duties.

(f) Board members shall not receive compensation, subsistence allowance, mileage or associated expenses from the state. Officers or employees of state agencies who serve on the board shall be authorized to serve on the board as part of their duties.

Sec. 5. The board shall:

(a) Establish public and private partnerships throughout Kansas to maximize value, minimize cost and avoid redundant activities in the development and implementation of geographic information systems;

(b) foster efficient and secure methods for data sharing at all levels of government;

(c) coordinate, review and provide recommendations on geographic information systems programs and investments and provide assistance with dispute resolution among geographic systems partners;

(d) continue to establish Kansas' leadership role in the national effort to improve capabilities for sharing geographic information and ideas with other states;

(e) promote the use of geographic information systems technologies as tools to break through structural and administrative boundaries to collaborate on shared problems and enhance information analysis and decision-making processes within all levels of government;

(f) shall be a standing advisory committee to the information technology executive council and shall provide a copy of its annual report to the council, as well as to the governor and both houses of the legislature; and

(g) shall work jointly with officials from other state agencies, organizations and county, municipal and tribal governments, as well as with businesses and organizations in the private sector who are concerned with the efficient management of the state's geographic information systems resources.

Sec. 6. (a) There is hereby established the office of state geographic information systems officer who shall be appointed by the governor and who shall serve in the office of information technology services.

(b) The state geographic information systems officer shall:

(1) Implement Kansas one map, an enterprise statewide mapping strategy that: (A) Supports Kansas state entities and local governments as they foster economic vitality, manage resources, educate, save and restore the natural environment, advance health initiatives, ensure public safety and support science; and (B) enables state entities and local governments to better implement and coordinate policies and programs across Kansas;

(2) implement and maintain the Kansas data access and support center, an enterprise geospatial data clearinghouse to include a central store and catalog of Kansas data and mapping services available to all state entities and the public;

(3) recruit a technical committee and appoint the technical committee chair;

(4) provide oversight for the development of the Kansas one map program and monitor Kansas one map metrics;

(5) establish and manage a Kansas one map communications plan and provide for

Kansas one map education;

(6) maintain a liaison relationship with state, federal, regional, county and municipal organizations;

(7) promote, advertise and market applications, capabilities, benefits and results of the Kansas one map program;

(8) assist in the identification and capturing of funding to support the Kansas one map program; and

(9) recommend to the executive chief information technology officer rules and regulations as may be necessary to implement the provisions of the Kansas one map act.

(c) The executive chief information technology officer may adopt rules and regulations to implement the provisions of the Kansas one map act.

Sec. 7. All state departments, agencies, commissions and boards shall cooperate with the Kansas geographic information systems policy board and the state geographic information systems officer in implementing the initiatives of Kansas one map.

Sec. 8. Funding for the Kansas data access and support center shall be continued through the office of information technology services and shall be directed to the Kansas geological survey which currently houses and supports this function.

Sec. 9. In order for the state geographic information systems officer to meet the goals set out in section 5, and amendments thereto, such officer will be supported with other office of information services as needed and available for coordination, standards development and implementation of workshops to research and promote effective uses of the geographic information systems assets and tools to achieve economic and operational benefits from the Kansas one map resource.

Sec. 10. This act shall take effect and be in force from and after its publication in the Kansas register.";

Also on page 1, in the title, in line 1, by striking all after "ACT"; by striking all in line 2, and inserting "concerning geographic information, systems and services; establishing the Kansas geographic information systems policy board and the office of state geographic information systems officer.";

And your committee on conference recommends the adoption of this report.

DWAYNE UMBARGER

BOB MARSHALL

KELLY KULTALA

Conferees on part of Senate

MIKE BURGESS

GARY K. HAYZLETT

ED TRIMMER

Conferees on part of House

On motion of Rep. Burgess, the conference committee report on **HB 2175** was adopted.

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett,

Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Grange, Kelley, Lane, LeDoux, Mah, McCray-Miller, Shultz, Slattery, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JEAN SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

LANA GORDON

VALDENIA WINN

Conferees on part of House

On motion of Rep. Gordon to adopt the conference committee report on **HB 2435** to agree to disagree, the motion did not prevail and the bill remains in conference.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Burgess, the House concurred in Senate amendments to **HB 2604**, AN ACT repealing K.S.A. 2-1426 and K.S.A. 2011 Supp. 2-1233, 2-1424a and 2-1425; concerning agriculture.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 113; Nays 0; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes,

Howell, Huebert, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mast, McLeland, Meier, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Collins, S. Gatewood, Johnson, Lane, LeDoux, Mah, McCray-Miller, Meigs, Shultz, Slattery, Ward, B. Wolf.

On motion of Rep. Bethell, the House nonconcurred in Senate amendments to **S Sub for HB 2619** and asked for a conference.

Speaker pro tem Vickrey thereupon appointed Reps. Bethell, Worley and Flaharty as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker pro tem Vickrey announced the appointment of Rep. Frownfelter as a member of the conference committee on **H Sub for SB 416** to replace Rep. Slattery.

On motion of Rep. Siegfried, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

On motion of Rep. Siegfried, the House recessed until 2:45 p.m.

MID-AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2390**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2390** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2390, as amended by Senate Committee of the Whole, as follows:

On page 2, in line 2, after "(e)" by inserting "(1)"; by striking all in lines 22 through

24; in line 25, by striking all before "Upon" and inserting:

"(2) Subject to the provisions of appropriations acts, for fiscal year 2013, the KUSF administrator may transfer moneys from the KUSF to the state treasurer.";

Also on page 2, also in line 25, by striking the last "the" and inserting "any";

On page 4, in line 32, by striking all after the period; by striking all in line 33;

On page 5, by striking all in lines 37 through 39;

And by redesignating remaining subparagraphs accordingly;

On page 7, in line 14, by striking the second "or"; in line 20, before "use" by inserting "state ownership or construction of any network facilities other than those owned or being constructed by the state on the effective date of this act; (3) switched voice access, except to the extent switched access is being provided by state-owned, leased or operated facilities as of the effective date of this act; (4) transmission of voice over internet or voice over internet protocol, except to the extent necessary to facilitate interactive two-way video; (5) content; or (6)";

Also on page 7, by striking all in lines 41 through 43;

On page 8, by striking all in lines 1 through 22 and inserting:

"(2) transition schools, libraries and hospitals that have a direct KAN-ED connection as of January 1, 2012, to a commercially provided broadband internet connection no later than June 30, 2013. At the time a school, library or hospital has been transitioned off a KAN-ED connection, the board shall pay up to \$350 per month to such school, library or hospital for the cost of broadband service until June 30, 2013;

(3) provide the secretary of commerce any information necessary to conduct the needs assessment described in subsection (b);";

Also on page 8, in line 33, after "(b)" by inserting:

"(1) The secretary of commerce shall facilitate the execution of the needs assessment and the creation of the report. The secretary shall contract with a third party that has expertise in telecommunications services for educational institutions to conduct such needs assessment and create such report.

(2) The needs assessment shall include, for each school, library and hospital connected to the network as of January 1, 2012: Current and future broadband service and quality needs and a determination of all KAN-ED expenses for shared services or infrastructure, including any costs deferred by federal moneys, that are providing services and network connections. Based on the results of the needs assessment, the secretary of commerce, in coordination with the third party contractor, shall create a report that: (A) Compares the utilization, efficiency and effectiveness of KAN-ED to other similar programs in other states for schools, libraries and hospitals; (B) determines if the KAN-ED program, as of the effective date of this act, is worth its cost in terms of price, service, quality, needed network upgrades and increased utilization of broadband by schools, libraries and hospitals; (C) determines if there are alternative models or opportunities for broadband procurement by schools, libraries and hospitals; (D) determines if the services and applications offered by KAN-ED lead to full utilization of broadband technology by schools, libraries, hospitals and their surrounding communities; and (E) recommends any cost-effective broadband services that are available.

(3) The board shall reimburse the cost of conducting such needs assessment and report described in paragraph (2), not to exceed \$250,000.

(4) The results of such needs assessment and the report shall be submitted to the

board on or before January 1, 2013.

(c)";

Also on page 8, in line 37, by striking "plan and establish such standards and priorities" and inserting "program";

On page 9, in line 27, by striking all after "connection"; by striking all in line 28 and 29; in line 30, by striking all before the period and inserting "no later than June 30, 2013";

On page 10, by striking all in lines 2 through 4;

And by redesignating remaining subsections accordingly;

Also on page 10, in line 15, after "act" by inserting "at no cost to such agencies"; in line 38, by striking all before the semicolon;

And your committee on conference recommends the adoption of this report.

PAT APPLE

MIKE PETERSEN

KELLY KULTALA

Conferees on part of Senate

JOE McLELAND

CARL DEAN HOLMES

TOM BURROUGHS

Conferees on part of House

On motion of Rep. McLeland, the conference committee report on **S Sub for HB 2390** was adopted.

On roll call, the vote was: Yeas 82; Nays 28; Present but not voting: 0; Absent or not voting: 15.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Boman, Bowers, Brown, Bruchman, Brunk, Burgess, Burroughs, Carlson, Cassidy, Crum, Davis, DeGraaf, Donohoe, Fawcett, Finney, Frownfelter, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McLeland, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Patton, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tietze, Tyson, Vickrey, Weber, Winn, Wolfe Moore, Worley.

Nays: Billinger, Bollier, Brookens, Calloway, Carlin, Colloton, Dillmore, Feuerborn, Flaharty, D. Gatewood, S. Gatewood, Grant, Henderson, Henry, Hill, Hineman, Kelley, Kiegerl, Kuether, Meier, Phelps, Ruiz, Sloan, Trimmer, Victors, Wetta, Williams, K. Wolf.

Present but not voting: None.

Absent or not voting: Collins, Denning, Grosserode, Johnson, Lane, LeDoux, Mah, McCray-Miller, Meigs, Otto, Peterson, Shultz, Slattery, Ward, B. Wolf.

On motion of Rep. Siegfried, the House recessed until 8:00 p.m.

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EVENING SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

MESSAGE FROM THE SENATE

The motion to concur on **H Sub for SB 416** failed and the bill remains in conference.

CHANGE OF CONFEREES

Speaker pro tem Vickrey announced the appointment of Reps. Kinzer, Patton and Pauls as members of the conference committee on **H Sub for SB 416** to replace Reps. Kleeb, Suellentrop and Frownfelter.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kinzer, the House concurred in Senate amendments to **HB 2792**, AN ACT reconciling amendments to certain statutes and making certain technical changes related thereto; amending K.S.A. 2011 Supp. 16-1602, 21-5428, 21-6811, 22-3437, 22-4705, 44-703, 44-706, 59-2132, 65-516, as amended by section 5 of 2012 House Bill No. 2660, 65-1626, as amended by section 1 of 2012 Senate Bill No. 134, 65-4915, as amended by section 51 of 2012 Substitute for Senate Bill No. 397, 65-6805, as amended by section 54 of 2012 Substitute for Senate Bill No. 397, 68-1051, as amended by section 2 of 2012 House Bill No. 2441, 72-1397, 72-5445, 74-5602, as amended by section 2 of 2012 House Bill No. 2496, 75-2935, as amended by section 115 of 2012 Senate Bill No. 316, 75-37,121, as amended by section 117 of 2012 Senate Bill No. 316, 76-11a13, 77-421, as amended by section 38 of 2012 House Bill No. 2535, 79-201a, as amended by section 1 of 2012 House Bill No. 2769 and 79-3234, as amended by section 127 of 2012 Senate Bill No. 316 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-5428a, 21-6811a, 22-3437b, 22-4705a, 32-1049a, as amended by section 64 of 2012 Senate Bill No. 316, 44-703a, 44-706b, 65-1436a, 65-1626, as amended by section 42 of 2012 Substitute for Senate Bill No. 397, 65-4915, as amended by section 1 of 2012 House Bill No. 2428, 65-6805, as amended by section 28 of 2012 House Bill No. 2416, 68-1051, as amended by section 2 of 2012 House Bill No. 2509, 72-5445a, 74-4911f, as amended by section 95 of 2012 Senate Bill No. 316, 74-5089, as amended by section 6 of 2012 Senate Bill No. 417, 74-5602, as amended by section 105 of 2012 Senate Bill No. 316, 74-5602, as amended by section 2 of 2012 Senate Bill No. 424, 75-2935, as amended by section 28 of 2012 Senate Bill No. 417, 75-3372, 75-37,121, as amended by section 33 of 2012 House Bill No. 2416, 77-415, as amended by section 1 of 2012 Senate Bill No. 252, 77-421, as amended by section 123 of 2012 Senate Bill No. 316, 77-421, as amended by section 55 of 2012 House Bill No. 2416, 77-421, as amended by section 2 of 2012 Senate Bill No. 252, 79-201a, as amended by section 124 of 2012 Senate Bill No. 316 and 79-3234b, as amended by section 128 of 2012 Senate Bill No. No. and 316.

On roll call, the vote was: Yeas 86; Nays 0; Present but not voting: 0; Absent or not voting: 39.

Yeas: Alford, Arpke, Ballard, Bethell, Billinger, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Cassidy, Crum, Davis, DeGraaf, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hildabrand, Hineman, Hoffman, C. Holmes, M.

Holmes, Howell, Kelly, Kerschen, Kinzer, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Patton, Pauls, Peck, Phelps, Phillips, Prescott, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwartz, Seiwert, Siegfried, Sloan, Smith, Suellentrop, Tietze, Trimmer, Tyson, Vickrey, Victors, Wetta, Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Bollier, Bowers, Carlin, Carlson, Collins, Colloton, Denning, Donohoe, Hermanson, Hill, Huebert, Johnson, Kelley, Kiegerl, Kleeb, Lane, LeDoux, McCray-Miller, Meigs, Moxley, O'Neal, Otto, Peterson, Pottorff, Powell, Proehl, Rhoades, Roth, Schwab, Shultz, Slattery, Spalding, Swanson, Ward, Weber, B. Wolf, K. Wolf, Worley.

The House stood at ease until the sound of the gavel.

Speaker pro tem Vickrey called the House to order.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 416**.

On motion of Rep. Siegfried, the House recessed until 11:59 p.m..

NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Vickrey in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 416** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

SUSAN WAGLE

JULIA LYNN

Conferees on part of Senate

On motion of Rep. Kinzer the conference committee report on **H Sub for SB 416** to agree to disagree, was adopted.

Speaker pro tem Vickrey thereupon appointed Reps. Kinzer, Patton and Pauls as second conferees on the part of the House.

REPORT ON ENGROSSED BILLS

S Sub for HB 2157 reported correctly engrossed May 18, 2012.

S Sub for Sub HB 2333 reported correctly re-engrossed May 18, 2012.

Also, **HB 2175, HB 2604** reported correctly engrossed May 19, 2012.

HB 2453, HB 2729 reported correctly re-engrossed May 19, 2012.

On motion of Rep. Siegfried, the House adjourned until 10:00 a.m., Sunday, May 20, 2012.

Journal of the House

SEVENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Sunday, May 20, 2012, 10:00 a.m.

The House met pursuant to adjournment with Speaker O'Neal in the chair.

The roll was called with 117 members present.

Rep. LeDoux was excused on verified illness.

Reps. Collins, Lane, McCray-Miller, Roth, Slattery, Ward and B. Wolf were excused on excused absence by the Speaker.

Reps. Bowers and Vickrey were excused later on excused absence by the Speaker.

Prayer by Rep. Phelps:

Heavenly Father,
The bills are in and the debates
are nearly over.
Each member of this body comes into this room
with their own ideas, dreams, thoughts and solutions.
Some here will be the ones to break new ground;
some will plant the seeds.
Others will nurture the growth,
while others will gather the harvest.
Help each representative find fulfillment
in his or her role –
knowing that each part is necessary
for the completion of the whole.
In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Bethell.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **Sub SB 307**.

The Senate adopts the Conference Committee report on **HB 2435**.

The Senate adopts the Conference Committee report on **HB 2494**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2494**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 7, following line 6, by inserting:

"New Sec. 7. (a) Notwithstanding the provisions of K.S.A. 46-215 through 46-293, and amendments thereto, an employee of a state university may provide significant factual information or advice or recommendations in relation to the negotiated terms of a technology licensing agreement or other research or development agreement between the state university and a company in which the employee has a substantial interest, provided that the employee does not have the authority to negotiate the terms of such agreement, or to approve such agreement on behalf of the state university. Nothing in this section shall allow an employee of a state university, in such employee's capacity as a state university employee, to provide advice or recommendations in relation to the negotiated terms of an agreement, which would directly affect such employee's financial benefit.

(b) For the purposes of this section, the phrase "research or development" means those activities and services relating to the development, transfer or commercialization of technology or other intellectual property.

(c) This section shall be a part of and supplemental to the state governmental ethics law.

Sec. 8. K.S.A. 2011 Supp. 74-32,181 is hereby amended to read as follows: 74-32,181.

(a) The state board shall fix, charge and collect fees not to exceed the following amounts by adopting rules and regulations for such purposes:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

Initial application fees:

Non-degree granting institution.....\$2,000

Degree granting institution.....\$3,000

Initial evaluation fee (in addition to initial application fees):

Non-degree level.....\$750

Associate degree level.....\$1,000

Baccalaureate degree level.....\$2,000

Master's degree level.....\$3,000

Professional or doctoral degree level.....\$4,000

Renewal application fees:

Non-degree granting institution.....2% of gross tuition,
but not less than \$800, nor more than \$25,000

Degree granting institution.....2% of gross tuition,
but not less than \$1,600, nor more than \$25,000

New program submission fees, for each new program:

Non-degree program.....\$250

Associate degree program.....\$500

Baccalaureate degree program.....	\$750
Master's degree program.....	\$1,000
Professional or doctoral degree program.....	\$2,000
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	
Initial non-degree granting institution.....	\$1,500
Initial degree granting institution.....	\$2,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	2% of gross tuition, but not less than \$800, nor more than \$25,000
Degree granting institution.....	2% of gross tuition, but not less than \$1,600, nor more than \$25,000
On-site branch campus review fee, for each site.....	\$250
Representative fees:	
Initial registration.....	\$200
Renewal of registration.....	\$150
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50
Changes in institution profile fees:	
Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100
(2) For institutions domiciled or having their principal place of business outside the state of Kansas:	
Initial application fees:	
Non-degree granting institution.....	\$4,000
Degree granting institution.....	\$5,500
Initial evaluation fee (in addition to initial application fees):	
Non-degree level.....	\$1,500
Associate degree level.....	\$2,000
Baccalaureate degree level.....	\$3,000
Master's degree level.....	\$4,000
Professional or doctoral degree level.....	\$5,000
Renewal application fees:	
Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000
New program submission fees, for each new program:	
Non-degree program.....	\$500
Associate degree program.....	\$750
Baccalaureate degree program.....	\$1,000
Master's degree program.....	\$1,500
Professional or doctoral degree program.....	\$2,500
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	

Initial non-degree granting institution.....	\$4,000
Initial degree granting institution.....	\$5,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000
Onsite branch campus review fee, for each site.....	\$500
Representative fees:	
Initial registration.....	\$350
Renewal of registration.....	\$250
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50
Changes in institution profile fees:	
Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100

(b) Fees shall not be refundable.

(c) If there is a change in the ownership of an institution and, if at the same time, there also are changes in the institution's programs of instruction, location, entrance requirements or other changes, the institution shall be required to submit an application for an initial certificate of approval and shall pay all applicable fees associated with an initial application.

(d) An application for renewal shall be deemed late if the applicant fails to submit a completed application for renewal, or documentation requested by the state board to complete the renewal process, before the expiration date of the current certificate of approval.

(e) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(f) Fees may be charged to conduct onsite reviews for degree granting and non-degree granting institutions or to review curriculum in content areas where the state board does not have expertise.

(g) The provisions of this section shall expire on June 30, ~~2012~~ 2017.

New Sec. 9. The state board of regents shall conduct a study regarding the retention and graduation rates of students who are accepted into state universities through the exceptions to the minimum admissions standards prescribed in K.S.A. 76-717, and amendments thereto, and report the findings of such study to the committee on education of the house of representatives and the committee on education of the senate on or before January 13, 2014.

New Sec. 10. (a) (1) Except as provided in subsection (a)(2), no funds appropriated from the state general fund for any state educational institution shall be expended for

the purposes of providing remedial courses.

(2) Funds appropriated from the state general fund for any state educational institution may be expended for a student who is enrolled in a remedial course if the student is: (A) In military service; (B) 21 years of age or older; or (C) an international student enrolled in a remedial course for the purpose of learning English as a second language.

(b) Except for the costs associated with remedial education pursuant to subsection (a)(2), the board of regents, in its budget estimate filed pursuant to K.S.A. 75-3717, and amendments thereto, shall not include any appropriation requests for expenditures related to the provision of remedial courses at state educational institutions.

(c) As used in this section:

(1) The terms "board of regents" and "state educational institution" shall have the same meanings, respectively, as such terms are defined in K.S.A. 76-711, and amendments thereto.

(2) "Remedial course" means any course offered by a state educational institution in the area of mathematics or language arts, which includes expenditures for formally organized or separately budgeted instructional activities that give students the basic knowledge and skills required by the institution before they can undertake formal academic course work leading to a postsecondary degree or certificate.

(d) The provisions of this section shall take effect and be in force from and after August 15, 2015.

(e) This section shall be part of and supplemental to the provisions of article 7 of chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 76-717 is hereby amended to read as follows: 76-717.

(a) The board of regents may adopt rules and regulations for the admission of students at the state educational institutions. Except as provided by subsection (f), the rules and regulations shall include the following:

(1) Each Kansas resident who has graduated from an accredited Kansas high school and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has achieved at least one of the following:

(A) The applicant has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.0 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the applicant has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the applicant ranks in the top $\frac{1}{3}$ of the applicant's high school class upon completion of seven or eight semesters.

(2) Each Kansas resident who has graduated from a non-accredited private secondary school, as defined in K.S.A. 72-53,100, and amendments thereto, and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has a composite American college testing program (ACT) score of not less than 21 points.

(3) Admission to all state educational institutions shall be granted to each Kansas resident under 21 years of age who has earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(4) Admission to all state educational institutions shall remain open for each

Kansas resident who is 21 years of age or older and who has:

(A) Graduated from an accredited Kansas high school or a non-accredited private secondary school; or

(B) earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(5) Each state educational institution shall establish and maintain a policy permitting the admission of not more than 10% of the total number of freshman class admissions to the state educational institution as exceptions to the minimum admissions standards prescribed by this section. These exceptions shall only be applied to students who are *bona fide* residents of Kansas in accordance with rules and regulations of the board of regents and which rules and regulations are substantially similar to law, rule or regulation relative to the determination of resident status for tuition purposes. Such policy shall also provide that in determining which students to admit as exceptions to the minimum admissions standards prescribed by this section, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis to policies established by the state educational institutions for the purpose of permitting freshman class admissions to the institutions as exceptions to the minimum admissions standards prescribed by this section. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of freshman class admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the annual report shall be disaggregated by institution.

(6) Each Kansas resident who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college shall be admitted as a transfer student to the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(7) Each person who is not a resident of Kansas and who has graduated from an accredited high school may be admitted as a freshman to any of the state educational institutions if the person has achieved at least one of the following:

(A) The person has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.50 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the person has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the person ranks in the top $\frac{1}{3}$ of the person's high school class upon completion of seven or eight semesters.

(8) Each person who is not a resident of Kansas and who has graduated from a non-accredited private secondary school meeting requirements substantially equivalent to K.S.A. 72-53,100 through 72-53,102, and amendments thereto, may be admitted to any state educational institution if the person has a composite American college testing program (ACT) score of not less than 21 points.

(9) Each person who is not a resident of Kansas and who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college may be admitted as a transfer student to any of the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such non-resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(10) (A) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic years 2012-2013 and 2013-2014, each state educational institution may require each such student to adopt an individual plan for success.

(B) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic year 2014-2015 and each academic year thereafter, each state educational institution shall require each such student to adopt an individual plan for success prior to enrollment.

(C) Any individual plan for success adopted pursuant to this paragraph shall be reviewed by the student and the student's advisor at least once during the 12-month period immediately succeeding the initial adoption of such plan. Upon completion of such review, the plan may be revised as mutually agreed to by the student and the student's advisor. Nothing in this paragraph shall be construed as prohibiting any plan from being reviewed at any other time while the student is attending such state educational institution, or from being reviewed more than once during any academic year.

(b) The board of regents may prescribe a precollege curriculum which includes, but need not be limited to, four units of English, three units of mathematics, three units of social studies and three units of natural science.

(c) When a Kansas high school is organized in a manner that provides for

documentation of a student's performance in terms other than units of credit or grade point averages, or both, the board of regents shall determine for the students of such school a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale. The determination of a functionally equivalent level of education required under this subsection shall be made by the board of regents after consultation with the state board of education and the board of education or other governing authority having jurisdiction over the students of the affected school.

(d) The board of regents shall determine a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale for persons who are not residents of Kansas.

(e) The board of regents may authorize the chief executive officer of each state educational institution to adopt additional rules and policies relating to admissions of students so long as such rules and policies are not in conflict with the provisions of this section.

(f) The board of regents may adopt rules and regulations establishing standards for the admission of students to state educational institutions that differ from the standards set forth in subsection (a). Rules and regulations adopted pursuant to this subsection that are more rigorous than those set forth in subsection (a) shall not be effective prior to the first day of the fourth academic year following the year in which the rules and regulations are adopted.

(g) Information in reports required to be compiled and submitted to the legislature by this section may be compiled and submitted to the legislature in a single report.

(h) For purposes of this section:

(1) "Individual plan for success" means a written statement for each student admitted under an exception to the minimum admission standards prescribed in subsection (a) that is jointly developed by the student, the student's advisor and any other employee designated by the state educational institution for the purposes of establishing an individualized plan for such student to assist the student in achieving such student's academic goals. In addition to academic coursework, such plan may also address such student's extracurricular activities, financial needs and any other aspect of such student's life which may have a bearing on the student's academic success at the state educational institution. Any such plan may be revised after its initial adoption as mutually agreed to by the student and the student's advisor.

(2) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.;

And by redesignating sections accordingly;

On page 7, in line 7, by striking "and" and inserting a comma; in line 8, after "4465" by inserting ", 74-32,181 and 76-717";

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "72-4465" by inserting ", 74-32,181 and 76-717";

And your committee on conference recommends the adoption of this report.

JEAN SCHODORF

JOHN VRATIL

ANTHONY HENSLEY

Conferees on part of Senate

LANA GORDON
 CLAY AURAND
 VALDENIA WINN

Conferees on part of House

On motion of Rep. Gordon, the conference committee report on **HB 2435** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2494** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 40 and inserting the following:

"Section 1. K.S.A. 58-817 is hereby amended to read as follows: 58-817. (a) (1) If the occupant is in default for a period of more than 45 days, the operator may enforce the lien by selling the property stored in the leased space for cash. Sale of the property stored on the premises may be by public or private proceedings and may also be as a unit or in parcels, or by way of one or more contracts and at any time or place, and on any terms as long as the sale is commercially reasonable. The operator may otherwise dispose of any property which has no commercial value.

(2) The proceeds of such sale shall then be applied to satisfy the lien, with any surplus disbursed as provided in subsection (d).

(b) Before conducting a sale under subsection (a), the operator shall:

(1) Notify the occupant of the default by first-class mail at the occupant's last-known address, and by electronic mail if the occupant has provided an electronic mail

address to the operator:

(2) send a second notice of default, not less than seven days after the notice required by subsection (b)(1), by ~~restricted first-class~~ mail to the occupant at the occupant's last-known address ~~which includes~~, and by electronic mail if the occupant has provided an electronic mail address to the operator. A second notice of default shall include:

(A) A statement that the contents of the occupant's leased space are subject to the operator's lien;

(B) a statement of the operator's claim, indicating the charges due on the date of the notice, the amount of any additional charges which shall become due before the date of release for sale and the date those additional charges shall become due;

(C) a demand for payment of the charges due within a specified time, not less than 10 days after the date of the notice;

(D) a statement that unless the claim is paid within the time stated, the contents of the occupant's space will be sold after a specified time; and

(E) the name, street address and telephone number of the operator, or a designated agent whom the occupant may contact to respond to the notice.

(3) At least seven days before the sale, advertise the time, place and terms of the sale in a newspaper of general circulation in the jurisdiction where the sale is to be held. Such advertisement shall be in the classified section of the newspaper. ~~The ad shall state the items that will be released for sale.~~

(c) At any time before a sale under this section, the occupant may pay the amount necessary to satisfy the lien and redeem the occupant's personal property.

(d) If a sale is held under this section, the operator shall:

(1) Satisfy the lien from the proceeds of the sale; and

(2) hold the balance, if any, for delivery on demand to the occupant or any other recorded lienholders for a period of one year after receipt of proceeds of the sale and satisfaction of the lien. Thereafter, the proceeds remaining after satisfaction of the lien shall be considered abandoned property to be reported and paid to the state treasurer in accordance with the disposition of unclaimed property act.

(e) A purchaser in good faith of any personal property sold under the self-service storage act takes the property free and clear of any rights of:

(1) Persons against whom the lien was valid; and

(2) other lienholders.

(f) If the operator complies with the provisions of the self-service storage act, the operator's liability:

(1) To the occupant shall be limited to the net proceeds received from the sale of the personal property; and

(2) to other lienholders shall be limited to the net proceeds received from the sale of any personal property covered by the other lien.

(g) If an occupant is in default, the operator may deny the occupant access to the leased space.

(h) ~~Unless otherwise specifically provided, all notices required by the self-service storage act shall be sent by restricted mail. Notices sent to the operator shall be sent to the self-service storage facility where the occupant's property is stored. Notices to the occupant shall be sent to the occupant at the occupant's last-known address. Notices shall be deemed delivered when deposited with the United States postal service,~~

properly addressed as provided in subsection (b), with postage prepaid.

Sec. 2. K.S.A. 58-817 is hereby repealed.";

On page 1, in the title, by striking all in lines 1 through 4 and inserting "AN ACT concerning personal and real property; relating to the self-service storage act; amending K.S.A. 58-817 and repealing the existing section.";

And your committee on conference recommends the adoption of this report.

THOMAS C. OWEN

JEFF KING

DAVID HALEY

Conferees on part of Senate

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

On motion of Rep. Kinzer, the conference committee report on **HB 2494** was adopted.

On roll call, the vote was: Yeas 105; Nays 11; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfroid, Sloan, Smith, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Brown, Bruchman, Donohoe, Frownfelter, S. Gatewood, Gordon, Gregory, Grosserode, Hildabrand, Suellentrop, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Ward, B. Wolf.

On motion of Rep. Siegfroid, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **House Substitute for SB 294** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 13 through 36;

By striking all on pages 2 through 286;

On page 287, by striking all in lines 1 through 27, and inserting the following:

"Section 1. (a) For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2012 and shall constitute the omnibus reconciliation spending limit bill for the 2012 regular session of the legislature for purposes of subsection (a) of K.S.A. 75-6702, and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Babcock, Phillip DBA Babcock Angus
 473 Road W3
 Norton, KS 67654.....\$58.46

Barr, Kathy
 9775 W 333 Rd St
 Lebo, KS 66856.....\$271.73

Berean Academy
 PO Box 70
 Elbing, KS 67041.....\$279.07

Block, Richard A
 36845 Hedge Ln
 Paola, KS 66071.....\$42.84

City Of Oswego
 PO Box 210

2950

MAY 20, 2012

Oswego, KS 67356.....	\$57.02
Claassen, R Dwight 3003 E 1st St Newton, KS 67114.....	\$142.34
Concrete Materials Co LLC PO Box 16204 Wichita, KS 67216.....	\$5,525.44
Edwards Co Highway Dept 730 W 6th St Kinsley, KS 67547.....	\$1,513.04
Elliott, Blake 787 Paint Rd Hope, KS 67451.....	\$92.28
Faidley, Harold 385 Buffalo Rd Longford, KS 67458.....	\$126.84
Faidley, Lon 2539 Justice Rd Solomon, KS 67480.....	\$85.08
Flint Hills Industries DBA Hillsboro Industries 220 Industrial Rd Hillsboro, KS 67063.....	\$55.32
Garten Bros Inc 2305 Fair Rd Abilene, KS 67410.....	\$194.40
Gibson, Rick D 28468 L Rd Circleville, KS 66416.....	\$114.36
Gick & Debbie Fleming Farms 309 S Main St Leon, KS 67074.....	\$488.59
Goering, Terry D 1307 E 20 Hutchinson, KS 67505.....	\$54.60
Harvey, Bradley D	

24002 130 Ave Collyer, KS 67631.....	\$28.20
Jacobs, Kevin L 647 N 135th St W Wichita, KS 67235.....	\$430.70
Johnson, Ralph 312 W 5th Brookville, KS 67425.....	\$504.58
Kalivoda, Richard 2534 Nickel Rd Cuba, KS 66940.....	\$177.98
Kearny Co Rd & Bridge Dept PO Box 129 Lakin, KS 67860.....	\$10,216.91
Ottawa Bus Service Inc 1320 W 149th St Olathe, KS 66061.....	\$2,747.16
Peterson Farm & Livestock Inc 10729 S Simpson Rd Assaria, KS 67416.....	\$28.36
PPP LLC 1994 US Hwy 24 Glen Elder, KS 67446.....	\$155.95
R & R Excavating PO Box 41 Lindsborg, KS 67456.....	\$217.85
Sand Creek Station Golf Course 920 Meadowbrook Dr Newton, KS 67114.....	\$96.60
Schmidt, Henry E PO Box 107 Independence, KS 67301.....	\$24.50
Strobel, John R 31464 N Hwy 59 Garnett, KS 66032.....	\$432.82

Stucky, Ronald L
 543 Cherokee Rd
 Inman, KS 67546.....\$331.78

Terradyne Country Club LLC
 1400 Terradyne
 Andover, KS 67002.....\$674.35

USD 267 Renwick
 PO Box 68
 Andale, KS 67001.....\$9,610.15

USD 315 Colby
 600 West Third St
 Colby, KS 67701.....\$112.20

USD 378 Riley County
 PO Box 326
 Riley, KS 66531.....\$2,557.87

USD 466 Scott County
 PO Box 288
 Scott City, KS 67871.....\$153.90

USD 512 Shawnee Msn
 7235 Antioch Rd
 Shawnee Mission, KS 66204.....\$10,341.16

Vinze, Ernest
 1064 N 138th St
 Fort Scott, KS 66743.....\$105.00

Wildcat Concrete Services Inc
 PO Box 750075
 Topeka, KS 66675.....\$214.11

Winderlin, Robert
 993 Hwy 4
 Scott City, KS 67871.....\$178.85

Sec. 3. (a) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Aldrich, Douglas #79156
 PO Box 1568
 Hutchinson, KS 67504.....\$7.76

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Clay, Patrick #71823
 PO Box 1568
 Hutchinson, KS 67504.....\$4.38

(c) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Collins, Timothy #6001034
 PO Box 2
 Lansing, KS 66043.....\$20.00

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for property destroyed by staff to the following claimant:

Cox, Ryan #96107
 6700 40th Rd
 Thayer, KS 66776.....\$52.50

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost by staff to the following claimant:

Mills, Leonard #24700
 PO Box 1568
 Hutchinson, KS 67504.....\$12.99

(f) The department of corrections is hereby authorized and directed to pay the following amount from the Hutchinson correctional facility – facilities operations account of the state general fund for property bought but never received to the following claimant:

Ponce, Hector #79202
 PO Box 1568
 Hutchinson, KS 67504.....\$29.96

(g) The department of corrections is hereby authorized and directed to pay the following amount from the Winfield correctional facility – facilities operations account of the state general fund for damage to a vehicle caused by an inmate's operation of a weed eater to the following claimant:

Mayberry, Nancy
 13 Roberts Court
 Winfield, KS 67156.....\$366.49

Sec. 4. (a) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid on

a vehicle not subject to sales tax after the statute of limitations had expired to the following claimant:

Boulevard Limousine, LLC
 729 N. Stevenson St.
 Olathe, KS 66061.....\$4,958.97

(b) The department of revenue is hereby authorized and directed to pay the following amount from the income tax refund fund for a refund of income tax paid to the state of Kansas on income earned in the state of Colorado after the statutory time limit for filing an amended return had expired to the following claimant:

Sharp, David
 1441 S. Aldrich Dr.
 Andover, KS 67002.....\$5,266.00

(c) The department of revenue is hereby authorized and directed to pay the following amount from the sales tax refund fund for reimbursement of sales tax paid to the state of Kansas that was actually owed to the state of Missouri after the statute of limitations for a refund had expired to the following claimant:

Voss Electric Company
 1601 Cushman Drive
 Lincoln, NE 68512.....\$6,172.40

Sec. 5. (a) The Kansas highway patrol is hereby authorized and directed to pay the following amount from the Kansas highway patrol operations fund for payment of medical expenses of a prisoner in custody, to the following claimant:

Eagle Med. LLC
 PO Box 108
 West Plains, MO 65775.....\$2,312.00

Sec. 6. (a) The department of social and rehabilitation services is hereby authorized and directed to pay the following amount from the Larned state hospital fee fund for payment for a wedding ring set that was lost by staff to the following claimant:

Greene, Nick and Kristen
 3340 N Main
 El Dorado, KS 67042.....\$7,174.17

Sec. 7. (a) The adjutant general is hereby authorized and directed to pay the following amount from the operating expenditures account of the state general fund for damage to a vehicle caused by a faulty parking gate at the armed forces reserve center to the following claimant:

Manley, Barry
 4725 NE Shaffer Rd
 Topeka, KS 66617.....\$1,236.60

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 8 of this act, upon vouchers duly

executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 8 of this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the abstracters' fee fund of the abstracters' board of examiners is hereby increased from \$23,291 to \$24,291.

Sec. 10.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,251,724 to \$9,488,964.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 60(a) of chapter 118 of the 2011 Session Laws of Kansas on the bank commissioner fee fund of the state bank commissioner is hereby increased from \$9,742,902 to \$10,990,140.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 107.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the state bank commissioner is hereby increased from 99.00 to 109.00.

(e) On July 1, 2012, there is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Litigation expense fund.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*, That a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

Sec. 11.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$156,383 to \$166,383.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 61(a) of chapter 118 of the 2011 Session Laws of Kansas on the board of barbering fee fund of the Kansas board of barbering is hereby increased from \$144,892 to \$154,892.

Sec. 12.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$617,861 to \$618,361: *Provided, however*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 62(a) of chapter 118 of the 2011 Session Laws of Kansas on the behavioral sciences regulatory board fee fund of the behavioral sciences regulatory board is hereby increased from \$636,586 to \$685,259: *Provided, however*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.

(c) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the behavioral sciences regulatory board is hereby increased from 8.00 to 9.00.

Sec. 13.

KANSAS DENTAL BOARD

(a) On the effective day of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby increased from \$371,890 to \$381,932.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 66(a) of chapter 118 of the 2011 Session Laws of Kansas on the dental board fee fund of the Kansas dental board is hereby decreased from \$374,145 to \$370,998.

Sec. 14.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,046,214 to \$2,043,652.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 69(a) of chapter 118 of the 2011 Session Laws of

Kansas on the board of nursing fee fund of the board of nursing is hereby decreased from \$2,109,810 to \$2,109,710.

Sec. 15.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby decreased from \$121,180 to \$120,141.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 70(a) of chapter 118 of the 2011 Session Laws of Kansas on the optometry fee fund of the board of examiners in optometry is hereby increased from \$111,631 to \$114,437.

(c) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry litigation fund.....	\$400,000
Criminal history and fingerprinting fund.....	No limit

Sec. 16.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$791,288 to \$792,038.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 71(a) of chapter 118 of the 2011 Session Laws of Kansas on the state board of pharmacy fee fund of the state board of pharmacy is hereby increased from \$839,771 to \$1,068,447: *Provided*, That, if the state board of pharmacy receives authorization from the United States department of health and human services to expend \$250,000 from the Harold Rogers prescription federal fund during the fiscal year ending June 30, 2013, the state board of pharmacy shall certify a copy of such authorization to the director of accounts and reports and, effective on the date of such certification, the expenditure limitation established for the fiscal year ending June 30, 2013, by this subsection on the state board of pharmacy fee fund of the state board of pharmacy is hereby decreased from \$1,068,447 to \$818,447: *Provided further*; That, at the same time as the state board of pharmacy certifies such authorization to the director of accounts and reports, the state board of pharmacy shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now and hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Non-federal gifts and grants fund.....	No limit
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Sec. 17.

OFFICE OF THE SECURITIES COMMISSIONER OF KANSAS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,871,074 to \$2,801,596.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 74(a) of chapter 118 of the 2011 Session Laws of Kansas on the securities act fee fund of the office of the securities commissioner of Kansas is hereby decreased from \$2,923,867 to \$2,833,291.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

(d) On July 1, 2012, the position limitation established for the fiscal year ending June 30, 2013, by section 79 of chapter 118 of the 2011 Session Laws of Kansas for the office of the securities commissioner of Kansas is hereby decreased from 32.13 to 30.00.

Sec. 18.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 75(a) of chapter 118 of the 2011 Session Laws of Kansas on the technical professions fee fund of the state board of technical professions is hereby increased from \$589,122 to \$615,138.

Sec. 19.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas, on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$266,632 to \$268,316: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2012, for official hospitality shall not exceed \$175.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 76(a) of chapter 118 of the 2011 Session Laws of Kansas on the veterinary examiners fee fund of the state board of veterinary examiners is hereby increased from \$268,132 to \$269,674: *Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$175.

Sec. 20.

STATE BOARD OF MORTUARY ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby increased from \$273,993 to \$291,381.

(b) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 67(a) of chapter 118 of the 2011 Session Laws of Kansas on the mortuary arts fee fund of the state board of mortuary arts is hereby decreased from \$282,648 to \$282,228.

Sec. 21.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the healing arts fee fund of the state board of healing arts is hereby decreased from \$4,321,859 to \$4,319,499.

Sec. 22.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 72(a) of chapter 118 of the 2011 Session Laws of Kansas on the appraiser fee fund of the real estate appraisal board is hereby decreased from \$314,607 to \$314,357.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

AMC federal registry clearing fund.....No limit
Sec. 23.

KANSAS REAL ESTATE COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the real estate fee fund of the Kansas real estate commission is hereby decreased from \$1,133,094 to \$1,132,374.

Sec. 24.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, pursuant to section 64(a) of chapter 118 of the 2011 Session Laws of Kansas on the cosmetology fee fund of the Kansas board of cosmetology is hereby decreased from \$816,055 to \$815,235.

Sec. 25.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2013, by section 65(a) of chapter 118 of the 2011 Session Laws of Kansas on the credit union fee fund of the Kansas department of credit unions is hereby decreased from \$1,038,452 to \$1,037,437.

Sec. 26.

STATE CORPORATION COMMISSION

(a) On the effective date of this act, the expenditure limitation for the fiscal year ending June 30, 2012, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund, and the conservation fee fund in the aggregate, as established in section 95(b) of chapter 118 of the 2011 Session Laws of Kansas, is hereby increased from \$16,844,081 to \$16,960,956.

Sec. 27.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, in section 93(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the expense reserve of the Kansas public employees retirement fund is hereby increased from \$8,517,600 to \$8,845,767.

(b) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, in section 93(d) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the non-retirement administration fund is hereby increased from \$75,603 to \$82,117.

(c) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$832,896 from the Kansas endowment for youth fund to the children's initiatives fund.

Sec. 28.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$131,486 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program account, the sum of \$126,245 is hereby lapsed.

(b) On the effective date of this act, the appropriation of \$8,935 for the above agency for the fiscal year ending June 30, 2012, by section 103(b) of chapter 118 of the 2011 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program – ARRA match account, is hereby lapsed.

(c) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the department of commerce is hereby decreased from 251.80 to 250.00.

(d) On the effective date of this act, notwithstanding the provisions of K.S.A. 74-50,151, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys in the Kansas economic opportunity initiatives fund of the department of commerce to the job creation program fund of the department of commerce. On the effective date of this act, all liabilities of the Kansas economic opportunity initiatives fund are hereby transferred to and imposed on the job creation program fund of the department of commerce.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2012, the following:

Air service incentive fund.....\$2,000,000

Provided, That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the Manhattan area chamber of commerce, inc., and airlines providing air passenger service at Manhattan regional airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the Manhattan area chamber of commerce, inc., in such support agreements: *Provided however*; That no expenditures shall be made from the air service incentive fund unless the Manhattan area chamber of commerce, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That 50% of all expenditures from the air service incentive fund during fiscal year 2012 shall be made to participate in air passenger service support agreements with the growth organization of Topeka/Shawnee county, inc., and airlines

providing air passenger service at Topeka forbes field airport, related to any quarter during fiscal year 2012 when flights provided by an airline that is a party to an air passenger service support agreement are filled to less than 70% of capacity, or as determined under a formula finalized and agreed upon by the growth organization of Topeka/Shawnee county, inc., in such support agreements: *Provided however*; That no expenditures shall be made from the air service incentive fund account unless the growth organization of Topeka/Shawnee county, inc., has made payments to such airlines for such purpose of \$250,000 or more for fiscal year 2012: *Provided further*; That expenditures from the air service incentive fund account to such airlines for such purpose for fiscal year 2012 shall not exceed \$1,000,000: *And provided further*; That any unencumbered balance in the air service incentive fund account of the state economic development initiatives fund that was available to be expended during fiscal year 2012 to provide air passenger service at Topeka forbes field airport in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013, for the same use and purpose as the same was heretofore appropriated: *And provided further*; That, the growth organization of Topeka/Shawnee county, inc., shall submit an annual report to the legislature on or before January 1, 2013: *And provided further*; That during the 2013 regular legislative session such annual report shall be delivered and the growth organization of Topeka/Shawnee county, inc., shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: *And provided further*; That the secretary of commerce shall conduct an independent review of the financial reports submitted by the growth organization of Topeka/Shawnee county, inc., as well as an analysis of the data used by the growth organization of Topeka/Shawnee county, inc.: *And provided further*; That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: *And provided further*; That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.

Sec. 29.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 101(b) of chapter 118 of the 2011 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2012, is hereby increased from \$70,800,000 to \$71,000,000.

Sec. 30.

KANSAS RACING AND GAMING COMMISSION

(a) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws of Kansas for the Kansas racing and gaming commission – state racing operations program and expanded lottery act regulation division is hereby decreased from 75.53 to 74.00.

Sec. 31.

STATE COURT OF TAX APPEALS

(a) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the COTA filing fee fund of the state court of tax appeals is hereby decreased from \$1,331,328 to \$1,013,888.

Sec. 32.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Assigned counsel expenditures.....\$695,010

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$749,822 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account, the sum of \$6,667 is hereby lapsed.

(b) On the effective date of this act, of the \$3,549,398 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the legislative research department – operations account, the sum of \$156,515 is hereby lapsed.

(c) On the effective date of this act, of the \$3,049,313 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 80(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account, the sum of \$241,617 is hereby lapsed.

Sec. 34.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$2,020,838 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 82(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account, the sum of \$634 is hereby lapsed.

Sec. 35.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) On the effective date of this act, of the \$120,322,135 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$3,006,868 is hereby lapsed.

(b) On the effective date of this act, of the \$87,187,295 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the community based services account, the sum of \$805,504 is hereby lapsed.

(c) On the effective date of this act, of the \$3,029,539 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account, the sum of \$60,213 is hereby lapsed.

(d) On the effective date of this act, of the \$46,069,941 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$2,571,032 is hereby lapsed.

(e) On the effective date of this act, of the \$5,965,139 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$40,812 is hereby lapsed.

(f) On the effective date of this act, of the \$99,098,413 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the youth services aid and assistance account, the sum of \$5,706,647 is hereby lapsed.

(g) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2012, the following:

Sexual predator treatment program expansion.....	\$2,058,900
Renovations at rainbow mental health facility.....	\$1,500,000

(h) On the effective date of this act, of the \$519,325 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the children's cabinet accountability fund account, the sum of \$42,367 is hereby lapsed.

(i) On the effective date of this act, of the \$4,750,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the family centered system of care account, the sum of \$3 is hereby lapsed.

(j) On the effective date of this act, of the \$5,033,679 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 111(c) of chapter 118 of the 2011 Session Laws of Kansas from the children's initiatives fund in the child care account, the sum of \$213 is hereby lapsed.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the social welfare fund of the department of social and rehabilitation services is hereby increased from \$29,069,381 to \$32,383,404.

(l) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Larned state hospital – operating expenditures.....	\$1,149,723
Larned state hospital – sexual predator treatment program.....	\$213,805
Mental health and retardation services aid and assistance.....	\$91,429

(m) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the rainbow mental health facility fee fund of the department of social and rehabilitation services is hereby increased from \$2,465,445 to \$2,501,169.

(n) On the effective date of this act, the public health/social services emergency response federal fund of the department of social and rehabilitation services is hereby redesignated as the national bioterrorism hospital preparedness program federal fund of the department of social and rehabilitation services.

(o) On the effective date of this act, the position limitation established for the fiscal year ending June 30, 2012, by section 143(a) of chapter 118 of the 2011 Session Laws

of Kansas for the Larned state hospital is hereby increased from 839.20 to 886.20.

Sec. 36.

DEPARTMENT ON AGING

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

LTC – medicaid assistance – HCBS/FE.....	\$99,634
LTC – medicaid assistance – TCM/FE.....	\$223,877
LTC – medicaid assistance – NF.....	\$7,556,472

(b) There is appropriated for the above agency from the following special revenue funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

National bioterrorism hospital preparedness program – federal fund.....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the health policy nursing facility quality care fund of the department on aging is hereby increased from \$19,577,801 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 110(b) of chapter 118 of the 2011 Session Laws of Kansas on the social service block grant fund of the department on aging is hereby increased from \$4,399,305 to \$4,500,000.

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Breast cancer screening program.....	\$407,000
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Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION OF
HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Other medical assistance.....	\$19,513,116
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(b) On the effective date of this act, of the \$17,293,612 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the children's health insurance program account, the sum of \$28,819 is hereby lapsed.

(c) On the effective date of this act, of the \$14,482,995 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 108(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the health policy operating expenditures account, the sum of \$52,694 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the medical programs fee fund of the department of health and

environment – division of health care finance is hereby increased from \$50,529,602 to \$56,610,742.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on the health care access improvement fund of the department of health and environment – division of health care finance is hereby increased from \$33,300,000 to \$33,354,454.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the preventive health care program fund of the department of health and environment – division of health care finance is hereby increased from \$667,369 to \$711,214.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the health committee insurance fund of the department of health and environment – division of health care finance is hereby decreased from \$287,646 to \$283,854.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the state workers compensation self-insurance fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby increased from \$3,510,806 to \$3,776,357.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 108(b) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the cafeteria benefits fund of the department of health and environment – division of health care finance for salaries and wages and other operating expenditures is hereby decreased from \$1,979,603 to \$1,977,635.

Sec. 39.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$409,271 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 105(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$3,731 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the workmen's compensation fee fund of the department of labor is hereby decreased from \$13,883,381 to \$10,624,371.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the federal indirect cost offset fund of the department of labor is hereby decreased from \$404,143 to \$364,858.

Sec. 40.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) On the effective date of this act, of the \$426,485 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures

– administration account, the sum of \$350 is hereby lapsed.

(b) On the effective date of this act, of the \$1,200,598 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – veteran services account, the sum of \$1,178 is hereby lapsed.

(c) On the effective date of this act, of the \$1,917,108 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas soldiers' home account, the sum of \$16,366 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home fee fund of the Kansas commission of veterans affairs is hereby decreased from \$1,719,521 to \$1,668,438.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the soldiers home federal fund of the Kansas commission of veterans affairs is hereby increased from \$2,254,408 to \$2,603,283.

(f) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Operating expenditures – veterans claim assistance program – service grants. \$32,732

(g) On the effective date of this act, of the \$2,494,684 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 106(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the operating expenditures – Kansas veterans' home account, the sum of \$16,366 is hereby lapsed.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home federal fund of the Kansas commission on veterans affairs is hereby increased from \$2,924,231 to \$3,129,375.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the veterans home fee fund of the Kansas commission on veterans affairs is hereby increased from \$3,000,003 to \$3,129,622.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 106(b) of chapter 118 of the 2011 Session Laws of Kansas on the VA burial reimbursement fund – federal of the Kansas commission on veterans affairs is hereby increased from \$80,538 to \$101,942.

Sec. 41.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2012, for the capital improvement project or projects specified as follows:

Debt service – revenue bonds issued for major remodeling and new construction projects at state educational institutions.....\$1,254,925

(b) On the effective date of this act, of the appropriations for the above agency for the fiscal year ending June 30, 2012, by section 128(a) of chapter 118 of the 2011 Session Laws of Kansas of any unencumbered balance in the southwest Kansas access project account of the state general fund, the sum of \$243,620 is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Midwest higher education commission.....\$5,462
Sec. 42.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

KPERS – employer contributions.....\$6,992,555
Operating expenditures (including official hospitality).....\$50,000
General state aid.....\$24,632,000

(b) On and after the effective date of this act, notwithstanding the provisions of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas or any other statute, no appropriation shall be made for fiscal year 2012 from the state general fund to the general state aid account of the department of education by the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas: *Provided*, That the amount that would be appropriated for the above agency for the fiscal year ending June 30, 2012, pursuant to the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund to the general state aid account is hereby lapsed: *Provided further*, That, on the effective date of this act, the provisions of the second proviso to the general state aid account appropriation from the state general fund of section 113(a) of chapter 118 of the 2011 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 43.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Treatment and programs.....\$1,825,000

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2012, the following:

Labette facility renovation.....\$1,696,150

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disaster grants – public assistance fund.....No limit
Sec. 44.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Purchase of services.....\$1,868,707

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 130(b) of chapter 118 of the 2011 Session Laws of Kansas on the juvenile detention facilities fund of the juvenile justice authority is hereby increased from \$3,575,963 to \$4,459,805.

(c) On the effective date of this act, of the \$408,118 appropriated for the above

agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the backup generator – Kansas juvenile correctional complex account, the sum of \$407,618 is hereby lapsed.

(d) On the effective date of this act, of the \$10,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 164(a) of chapter 118 of the 2011 Session Laws of Kansas from the state institutions building fund in the raze pig barn – Kansas juvenile correctional complex account, the sum of \$5,000 is hereby lapsed.

Sec. 45.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Disaster relief.....\$4,226,905

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2012, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State asset forfeiture fund.....No limit

Sec. 46.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the emergency medical services operating fund of the emergency medical services board is hereby increased from \$1,330,025 to \$1,332,018.

Sec. 47.

STATE FIRE MARSHAL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$29,339 from the hazardous material program fund of the state fire marshal to the fire marshal fee fund of the state fire marshal.

Sec. 48.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Rehabilitation and repair projects.....\$64,500

Sec. 49.

KANSAS DEPARTMENT OF AGRICULTURE

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund, in the operating expenditures account, the sum of \$57,541 is hereby lapsed.

(b) On the effective date of this act, of the \$702,722 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas in the basin management account of the state water plan fund, the sum of \$68,403 is hereby lapsed.

(c) On the effective date of this act, of the amount reappropriated for the above

agency for the fiscal year ending June 30, 2012, by section 138(c) of chapter 118 of the 2011 Session Laws of Kansas from the state water plan fund in the water transition assistance program/conservation reserve enhancement program account, the sum of \$1,019,748 is hereby lapsed.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, by section 138(a) of chapter 118 of the 2011 Session Laws of Kansas on expenditures from the operating expenditures account of the Kansas department of agriculture for official hospitality is hereby increased from \$5,000 to \$10,000.

(e) On and after the effective date of this act, during the fiscal year ending June 30, 2012, in addition to other purposes for which expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for the fiscal year ending June 30, 2012, as authorized by section 138(b) of chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the Kansas legislature, expenditures may be made by the Kansas department of agriculture from moneys appropriated in the reimbursement and recovery fund, conference regulation and disbursement fund, and the market development fund for official hospitality.

Sec. 50.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, of the \$40,000 appropriated for the above agency for the fiscal year ending June 30, 2012, by section 141(a) of chapter 118 of the 2011 Session Laws of Kansas from the state general fund in the reimbursement for annual licenses issued to Kansas disabled veterans account, the sum of \$18,388 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

State parks operating expenditures.....\$800,000

Sec. 51.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2012, pursuant to section 174(c) of chapter 118 of the 2011 Session Laws of Kansas on the agency operations account of the state highway fund of the department of transportation is hereby increased from \$287,632,588 to \$289,632,588.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$2,000,000 from the north central Kansas air passenger service support fund of the department of transportation to the state economic development initiatives fund.

Sec. 52. On the effective date of this act, during fiscal year 2012, notwithstanding the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer all moneys exceeding the first \$1,696,150 credited to the expanded lottery act revenues fund during fiscal year 2012 from the expanded lottery act revenues fund to the state general fund, within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act

revenues fund to the state general fund as prescribed by law: *Provided further*, That all moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, on the effective date of this act, the provisions of section 101(e) of chapter 118 of the 2011 Session Laws of Kansas, that transfers all moneys that are credited to the expanded lottery act revenues fund from the expanded lottery act revenues fund to the state general fund during the fiscal year ending June 30, 2012, are hereby declared to be null and void and shall have no force and effect.

Sec. 53.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Court appointed special advocates.....\$50,000

(b) On the effective date of this act, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the medicaid fraud prosecution revolving fund of the attorney general to the state general fund: *Provided*, That the amount transferred from the medicaid fraud prosecution revolving fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the attorney general by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 54. (a) During the fiscal year ending June 30, 2012, notwithstanding the provisions of chapter 118 of the 2011 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by any state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 for the state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the state agency from moneys appropriated by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature from the state general fund or from any such special revenue fund or funds for fiscal year 2012 to purchase bottled drinking water for water dispensers.

Sec. 55.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Legislative coordinating council – operations.....\$563,652

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Legislative research department – operations.....\$3,743,092
Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of revisor of statutes – operations.....\$3,127,906
Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund.....No limit
 Sec. 56.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including official hospitality).....\$16,680,245

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no *per diem* compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies

of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Legislative information system.....\$1,401,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund.....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no *per diem* compensation: *Provided further*; That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*; That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-

1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2013 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2013.

Capitol restoration – gifts and donations fund.....No limit

(c) As used in this section, "joint committee" includes the joint committee on rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, legislative educational planning committee, joint committee on economic development, joint committee on state building construction, joint committee on the arts and cultural resources, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, workers compensation fund oversight committee, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, joint committee on children's issues, compensation commission, joint committee on Kansas security, joint committee on health policy oversight, state employee pay plan oversight committee, joint committee on energy and environmental policy, joint committee on home and community based services oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 57.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations (including legislative post audit committee).....\$2,081,880

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from this account, expenditures shall be made by the above agency from moneys appropriated from this account in fiscal year 2013 to conduct three school district efficiency audits during fiscal year 2013: *And provided further*; That three school districts shall be one school district each from small, medium and large school districts: *And provided further*; That the legislative post audit committee shall make a determination of selecting the appropriate school districts first on a voluntary basis in order to implement the provisions of this proviso.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund.....No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*; That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund.....No limit

State agency audits fund.....No limit

Sec. 58.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Governor's department.....\$2,289,976

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants.....\$3,760,516

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers.....\$833,731

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2013, by subsection (a) from the state general fund in the governor's department account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund.....No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Hispanic and Latino American affairs fee fund.....No limit

Miscellaneous projects fund.....No limit

Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund.....No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund.....	No limit
Federal grants fund.....	No limit
Justice assistance grant – federal fund.....	No limit
Hispanic and Latino American affairs commission – donations fund.....	No limit
Advisory commission on African-American affairs – donations fund.....	No limit
Kansas commission on disability concerns fee fund.....	No limit
Kansas commission on disability concerns – gifts, grants and donations fund.....	No limit
Domestic violence grants fund.....	No limit

Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$300,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the domestic violence grants fund of the governor's department.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund of the Kansas department for aging and disability services to the child advocacy center grants fund of the governor's department.

Sec. 59.

LIEUTENANT GOVERNOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operations.....	\$182,265
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Provided, That any unencumbered balance in the operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Special programs fund.....	No limit
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Provided, That expenditures may be made from the special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*; That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor on official state business and for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor on official state business from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account.

(d) Expenditures may be made by the above agency for official hospitality and contingencies from the amount appropriated by subsection (a) from the state general fund for the fiscal year ending June 30, 2013, in the operations account without limit at the discretion of the lieutenant governor.

Sec. 60.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,895,997

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs.....\$78,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Internet training education for Kansas kids.....\$290,000

Provided, That any unencumbered balance in the internet training education for Kansas kids account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Abuse, neglect and exploitation unit.....\$115,000

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Lab feasibility study.....\$100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund.....No limit

Court cost fund.....No limit

Bond transcript review fee fund.....No limit

Conversion of materials and equipment fund.....No limit

Attorney general's antitrust special revenue fund.....No limit

Private gifts fund.....No limit

Medicaid fraud reimbursement fund.....No limit

Attorney general's antitrust suspense fund.....No limit

Attorney general's consumer protection clearing fund.....No limit

Attorney general's committee on crime prevention fee fund.....No limit
Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund.....No limit
 Crime victims compensation fund.....No limit
Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$454,058: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund.....No limit
 Protection from abuse fund.....No limit
 Crime victims grants and gifts fund.....No limit
Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Debt collection administration cost recovery fund.....No limit
Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund.....No limit
Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2011 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund.....No limit
Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other

orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund.....	No limit
Children's advocacy center fund.....	No limit
Abuse, neglect and exploitation of people with disabilities	
unit grant acceptance fund.....	No limit
Concealed weapon licensure fund.....	No limit
Tobacco master settlement agreement compliance fund.....	No limit
Sexually violent predator expense fund.....	No limit
County law enforcement equipment fund.....	No limit
Child exchange and visiting centers fund.....	No limit
State medicaid fraud control unit – federal fund.....	No limit
Com def sol – violence against women federal fund.....	No limit
Crime victims compensation federal fund.....	No limit
Ed Byrne state/local law enforcement federal fund.....	No limit
Violence against women – ARRA federal fund.....	No limit
Comm prsct/project safe neighborhood federal fund.....	No limit
Public safety prtnt/comm pol fund.....	No limit
Anti-gang initiative federal fund.....	No limit
Alcohol impaired driving cntrmsr federal fund.....	No limit
Children's justice grant federal fund.....	No limit
Corr research/evaluation/policy firearms federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
State victims compensation formula grant federal fund.....	No limit
Medicaid indirect cost federal fund.....	No limit
Federal forfeiture fund.....	No limit
False claims litigation revolving fund.....	No limit

Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2011 Supp. 75-7501 *et seq.*, and amendments thereto.

GTEAP federal fund.....	No limit
Ed Byrne memorial justice assistance grant federal fund.....	No limit
911 state maintenance fund.....	No limit
911 federal grant fund.....	No limit

(c) During the fiscal year ending June 30, 2013, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$485,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund of the attorney general.

(e) During the fiscal year ending June 30, 2013, the attorney general, with the approval of the director of the budget, may transfer any part of any item of

appropriation for fiscal year 2013 from the state general fund for the attorney general to another item of appropriation for fiscal year 2013 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, the director of accounts and reports shall transfer any unencumbered balance in the private detective fee fund of the attorney general – Kansas bureau of investigation to the private detective fee fund of the attorney general.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,881,920 from the court cost fund of the attorney general to the state general fund.

Sec. 61.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Publication of proposed constitutional amendments.....\$77,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Cemetery and funeral audit fee fund.....No limit
- HAVA ELVIS fund.....No limit
- Conversion of materials and equipment fund.....No limit
- Information and services fee fund.....No limit
- Provided*, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.
- State register fee fund.....No limit
- Uniform commercial code fee fund.....No limit
- State flag and banner fund.....No limit
- Secretary of state fee refund fund.....No limit
- Electronic voting machine examination fund.....No limit
- Credit card clearing fund.....No limit
- Suspense fund.....No limit
- Prepaid services fund.....No limit
- Athlete agent registration fee fund.....No limit
- Democracy fund.....No limit
- Provided*, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.
- Technology communication fee fund.....No limit
- Help America Vote Act federal fund.....No limit
- HAVA title I federal fund.....No limit
- Voting access – disabled individuals federal fund.....No limit
- Cemetery maintenance and merchandise fee fund.....No limit

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2013 by the above agency by this

or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2013 regular session of the legislature and detailing costs to local units of governments for conducting elections which include proposed constitutional amendments.

Sec. 62.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund.....	\$1,628,512
<i>Provided</i> , That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, during fiscal year 2013, the state treasurer is hereby authorized and directed to credit the first \$1,628,512 received and deposited in the state treasury to the state treasurer operating fund: <i>Provided further</i> , That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2013 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto: <i>And provided further</i> , That all moneys credited to the state treasurer operating fund during fiscal year 2013 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 <i>et seq.</i> , and amendments thereto, that are not otherwise reimbursed under any other provision of law.	
Fiscal agency fund.....	No limit
Bond services fee fund.....	No limit
City bond finance fund.....	No limit
Local <i>ad valorem</i> tax reduction fund.....	No limit
County and city revenue sharing fund.....	No limit
Suspense fund.....	No limit
County and city retailers' sales tax fund.....	No limit
County and city compensating use tax fund.....	No limit
Local alcoholic liquor fund.....	No limit
Local alcoholic liquor equalization fund.....	No limit
Unclaimed property claims fund.....	No limit
Unclaimed property expense fund.....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund.....	No limit
Racing admissions tax fund.....	No limit
Rental motor vehicle excise tax fund.....	No limit

- Transportation development district sales tax fund.....No limit
- Redevelopment bond fund.....No limit
- Municipal investment pool fund.....No limit
- Pooled money investment portfolio fee fund.....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2013, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*; That, prior to the 10th day of each month during the fiscal year ending June 30, 2013, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*; That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

- Special qualified industrial manufacturer fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2013, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2011 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a

qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2011 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education savings program trust fund.....No limit

Provided, That, notwithstanding the provisions of subsection (f) of K.S.A. 2011 Supp. 75-650, and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2013, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education savings expense fund.....No limit

Conversion of materials and equipment fund.....No limit

Tax increment financing revenue replacement fund.....No limit

Spirit bonds fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Learjet bond fund.....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*; That, on or before the 10th day of each month commencing during

fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Siemens bond fund.....No limit
Provided, That, on the 15th day of each month that commences during fiscal year 2013, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2011 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2013, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2011 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund.....\$0
 Telecommunications and railroad machinery and equipment tax reduction assistance fund.....\$0
 Community improvement district sales tax fund.....No limit
 Special economic revitalization fund.....No limit
 Bioscience development and investment fund.....No limit

(b) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2013, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10%

of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2013 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2013, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

Sec. 63.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund.....No limit
Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund.....No limit
Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund.....No limit
 Insurance company examiner training fund.....No limit
 Conversion of materials and equipment fund.....No limit
 Commissioner's travel reimbursement fund.....No limit

Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided*

further, That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund.....No limit

Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That, pursuant to provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2013 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2013 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2013; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2013 repayment amount" means the difference between the 2013 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2013 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2013 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2013 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee refund fund.....No limit

Group-funded workers' compensation pools fee fund.....No limit

Provided, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee fund.....No limit

Provided, That transfers may be made from the municipal group-funded pools fee

fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund.....No limit

Insurance education and training fundNo limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund.....No limit

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund.....\$10,000

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2013 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund.....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Emergency management performance grant – federal fund.....No limit

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund.....No limit

HHS exchange planning & establishment grant – federal fund.....No limit

HHS rate review grant – federal fund.....No limit

Exchange – KMED early innovator federal grant.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2013 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses

were incurred prior to the effective date of this act.

Sec. 64.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Health care stabilization fund.....No limit
- Conference fee fund.....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2013, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

- Operating expenditures.....\$1,718,952

Provided, That expenditures may be made from the operating expenditures account for official hospitality.

- Legal services and other claims expenses.....No limit
- Claims and benefits.....No limit

Sec. 65.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Judicial council fund.....No limit
- Grants and gifts fund.....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

- Publications fee fund.....No limit
- Judicial performance fund.....No limit

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$84,777 from the judicial performance fund of the judicial council to the judicial council fund of the judicial council.

(c) On June 30, 2013, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund as of June 30, 2013, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to

provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund and then from the publication fees fund.

Sec. 66.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$12,529,563

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures.....\$9,000,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations.....\$1,433,477

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the capital defense operations account is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners.....\$289,592

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund.....No limit

Indigents' defense services fund.....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund.....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and

conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2013, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2013 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 67.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Judiciary operations.....\$105,808,490

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund.....No limit
Judiciary technology fund.....No limit
Judicial branch gifts fund.....No limit
Dispute resolution fund.....No limit
Judicial branch education fund.....No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix,

charge and collect fees for such services and programs: *And provided further*; That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*; That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Conversion of materials and equipment fund	No limit
Child welfare federal grant fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
Bar admission fee fund.....	No limit
Permanent families account – family and children investment fund.....	No limit
Duplicate law book fund.....	No limit
Court reporter fund.....	No limit
Access to justice fund.....	No limit
Judicial technology and building and grounds fund.....	No limit
Judicial branch nonjudicial salary initiative fund.....	No limit
Judicial branch nonjudicial salary adjustment fund.....	No limit
Federal grants fund.....	No limit
District magistrate judge supplemental compensation fund.....	No limit
Judicial branch surcharge fund.....	No limit
Correctional supervision fund.....	No limit
Edward Byrne memorial justice assistance fund	No limit
Community defense solutions – violence against women fund.....	No limit
Edward Byrne justice assistance grant fund – ARRA.....	No limit
S.T.O.P. violence against women act fund – ARRA	No limit
Violence against women grant fund – ARRA	No limit
State court improvement program fund	No limit

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

13th retirement check – debt service.....\$3,208,993

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund.....	No limit
<i>Provided</i> , That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.	
Kansas public employees deferred compensation fees fund.....	No limit
Group insurance reserve fund.....	No limit
Optional death benefit plan reserve fund.....	No limit
Kansas endowment for youth fund.....	No limit
Senior services trust fund.....	No limit

Family and children endowment account – family and children investment fund.....No limit
 Non-retirement administration fund.....No limit

Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund, the senior services trust fund, the family and children endowment account – family and children investment fund, and the unclaimed property account of the state general fund for the purpose of reimbursing the costs of non-retirement related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fundNo limit

Provided, That, notwithstanding the provisions of K.S.A. 74-4921 *et seq.*, and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 *et seq.*, and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*; That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2013: *And provided further*; That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2013.

(c) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$9,325,100

Provided, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses.....No limit

KPERS technology project.....No limit

(d) Expenditures may be made from the non-retirement administration fund for the fiscal year ending June 30, 2013, for the following specified purposes:

Agency operations.....\$82,690

Investment-related expenses.....No limit

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by subsection (d)(4) of K.S.A. 38-2102, and amendments thereto, to be transferred on July 1, 2012, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby decreased to \$55,800,000.

Sec. 69.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$1,194,306

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$150: *Provided further,* That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fundNo limit
 Conversion of materials and equipment fundNo limit
 Annual banquet fundNo limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further,* That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further,* That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further,* That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fundNo limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further,* That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further,* That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further,* That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 70.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund.....No limit
 Motor carrier license fees fund.....No limit
 Conservation fee fund.....No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further,* That expenditures may be made from this fund for debt collection and set-off administration: *And provided further,* That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting

services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2014 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2014, 2015 and 2016.

Energy grants management federal fund – ARRA.....No limit
Provided, That the state corporation commission is hereby designated as the state agency to receive moneys from federal agencies for energy conservation and other energy related activities under the federal American recovery and reinvestment act of 2009, as amended: *Provided further*, That, whenever moneys are received by the state corporation commission from federal agencies for energy conservation and other energy-related activities under the federal American recovery and reinvestment act of 2009, as amended, such moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy grants management federal fund – ARRA.

State electricity regulators assistance – ARRA federal fund.....No limit
Energy efficiency revolving loan program – ARRA federal fund.....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program moneys shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Natural gas underground storage fee fund.....	No limit
Gas pipeline inspection fee fund.....	No limit
Special one-call – federal fund.....	No limit
Compressed air energy storage fee fund.....	No limit
Abandoned oil and gas well fund.....	No limit
Well plugging assurance fund.....	No limit
Facility conservation improvement program fund.....	No limit
Gas pipeline safety program – federal fund.....	No limit
Carbon dioxide injection well and underground storage fund.....	No limit
Energy related grants – federal fund.....	No limit
Energy grants management fund.....	No limit
Energy conservation plan – federal fund.....	No limit
Vehicle information systems network – federal fund.....	No limit
Underground injection control class II – federal fund.....	No limit
One call – federal fund.....	No limit
Inservice education workshop fee fund.....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing fund.....	No limit
Credit card clearing fund.....	No limit
Suspense fund.....	No limit
KETA administrative fund.....	No limit
KETA development fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund shall not exceed, in the aggregate, \$16,961,396: *Provided*, That, within such limitation on the aggregate of expenditures, expenditures made for fiscal year 2013 from the public service regulation fund, the motor carrier license fees fund and the conservation fee fund for official hospitality shall not exceed, in the aggregate, \$2,000.

(c) Expenditures for the fiscal year ending June 30, 2013, by the state corporation commission from the conservation fee fund or the abandoned oil and gas well fund may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2013 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(d) During the fiscal year ending June 30, 2013, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund of the state corporation commission, which are in excess of \$400,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund of the state corporation commission: *Provided*, That the executive director of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the executive director of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The executive director of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission: *Provided*, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 66-1a01, and amendments thereto, or any other statute, and in addition to any other moneys transferred pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the remaining amount of the unexpended or unencumbered expenditure authority for fiscal year 2012, that was to be used for the expenses of the Kansas electric transmission authority for fiscal year 2012, by the state corporation commission from the public service regulation fund as authorized by section 95(f)(1) of chapter 118 of the 2011 Session Laws of Kansas, from the public service regulation fund of the state corporation commission to the KETA administrative fund of the state corporation commission.

Sec. 71.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund.....\$836,462

(b) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund for fiscal year 2013 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2012, then the amount equal to the

remaining amount of such expenditure authority for fiscal year 2012 may be expended from the utility regulatory fee fund for fiscal year 2013 pursuant to contracts for professional services and any such expenditure for fiscal year 2013 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2013.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from the utility regulatory fee fund for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 72.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- General administration\$885,338
Provided, That any unencumbered balance in the general administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the general administration account for three employees in the unclassified service under the Kansas civil service act.
- Department of administration systems.....\$1,866,848
Provided, That any unencumbered balance in the department of administration systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the department of administration systems account for official hospitality shall not exceed \$1,000.
- Personnel services.....\$1,602,035
Provided, That any unencumbered balance in the personnel services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Purchasing.....\$458,273
Provided, That any unencumbered balance in the purchasing account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Budget analysis.....\$1,594,635
Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.
- Facilities management.....\$47,514
Provided, That any unencumbered balance in the facilities management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Accounts and reports.....\$1,795,004
Provided, That any unencumbered balance in the accounts and reports account in

excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Public broadcasting council grants.....\$1,041,000

Provided, That any unencumbered balance in the public broadcasting council grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all expenditures from the public broadcasting council grants account for capital equipment shall be made to provide matching funds for federal capital equipment grants awarded to eligible public broadcasting stations: *And provided further*; That expenditures from this account may be made to provide matching funds for capital equipment projects funded from any nonstate source in the event federal capital equipment grants are not awarded: *And provided further*; That in the event the federal facility programs cease to exist or fail to conduct grant solicitations, expenditures may be made from this account to provide matching funds for capital equipment projects funded from any nonstate source without first applying for federal capital equipment grants.

Long-term care ombudsman.....\$250,628

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,000.

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

KPERS bond debt service.....\$36,142,328
Public broadcasting digital conversion debt service.....\$1,695,523

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund.....No limit
State leave payment reserve fund.....No limit
Building and ground fund.....No limit

Provided, That expenditures may be made from the building and ground fund for operating and other expenses for the Hiram Price Dillon House.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund.....No limit
Budget fees fund.....No limit

Provided, That expenditures may be made from the budget fees fund for operating

expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund.....No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund.....No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund.....No limit

Conversion of materials and equipment fund.....No limit

Architectural services equipment conversion fund.....No limit

Property contingency fund.....No limit

Flood control emergency – federal fund.....No limit

INK special revenue fundNo limit

CJIS Byrne Grant – federal fund.....No limit

FICA reimbursements medical residents fund.....No limit

Information technology fund.....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund.....No limit
 State buildings operating fund.....No limit
Provided, That expenditures may be made from the state buildings operating fund for operating and other expenses for the Hiram Price Dillon House: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for use of the rooms and other facilities of the Hiram Price Dillon House in accordance with policies adopted by the legislative coordinating council under K.S.A. 75-3682, and amendments thereto, for approving the use of such property: *And provided further*, That fees for approved use of such property shall be reasonable and directly related to the costs of such use and shall be fixed in order to recover all or part of the operating expenses incurred for such use: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *And provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by subsection (a) of K.S.A. 2011 Supp. 75-37,123, and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee County including both state-owned and privately owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund.....No limit
Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*, That all fees received for such services or sales shall be deposited

in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund: *And provided further*, That on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$411,578 from the accounting services recovery fund of the department of administration to the state general fund: *And provided further*, That the transfer of such amount shall be in addition to any other transfer from the accounting services recovery fund to the state general fund as prescribed by law: *And provided further*, That the amount transferred from the accounting services recovery fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of administration by other state agencies which receive appropriations from the state general fund to provide such services.

Architectural services recovery fund.....No limit
Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*, That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund.....No limit
Intragovernmental printing service fund.....No limit
Intragovernmental printing service depreciation reserve fund.....No limit
Municipal accounting and training services recovery fund.....No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund.....No limit
State emergency fund.....No limit
Bid and contract deposit fund.....No limit
Federal withholding tax clearing fund.....No limit
Financial management system development fund.....No limit

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special

assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund.....	No limit
Financial management system development fund – on budget.....	No limit
Construction defects recovery fund.....	No limit
Facilities conservation improvement fund.....	No limit
State revolving fund services fee fund.....	No limit
Conversion of materials and equipment – recycling program fund.....	No limit
Curtis office building maintenance reserve fund.....	No limit
Equipment lease purchase program administration clearing fund.....	No limit
Suspense fund.....	No limit
Electronic funds transfer suspense fund.....	No limit
Surplus property program fund – on budget.....	No limit
Surplus property program fund – off budget.....	No limit
Older Americans act long-term care ombudsman federal fund.....	No limit
Long-term care ombudsman gift and grant fund.....	No limit
Title XIX – long-term care ombudsman medicaid federal grant fund.....	No limit
Wireless enhanced 911 grant fund.....	No limit
Landon state office building repair expense fund.....	No limit
MacVicar avenue assessment expense fund.....	No limit
Bioscience development fund.....	No limit

(d) On July 1, 2012, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2013, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or in any capital improvement account of the state general fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or any such capital improvement account of the state general fund for fiscal year 2013 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(g) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget, which shall be equal to 70% of the amount estimated by the

director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2013. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2012 and fiscal year 2013 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (j) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(h) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2013. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2013 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all

amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2013. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2013 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget which shall be equal to 80% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2013, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2013 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the

notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (g) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(k) During the fiscal year ending June 30, 2013, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of administration to another item of appropriation for fiscal year 2013 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, the following:

SIBF – state building insurance\$150,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(m) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, the following:

CIBF – state building insurance.....\$130,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(n) On July 1, 2012, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the department on aging to the older Americans act long-term care ombudsman federal fund of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2013 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(o) (1) On July 1, 2012, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount credited and debited on or before June 30, 2012, pursuant to section 97(n)(10)(D) of chapter 118 of the 2011 Session Laws of Kansas, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006, for state agencies.

(2) On or before September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the

state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2013.

(3) (A) (i) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2013 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013.

(ii) On or before June 30, 2013, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2013, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (o)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2012 and which were not reappropriated for fiscal year 2013, as determined by the director of the budget: *Provided*, That, as used in this subsection (o)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2012 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2012 regular session of the legislature.

(C) Prior to August 15, 2012, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2011, that were released during fiscal year 2012, and that were not specifically reappropriated by an appropriation act of the 2012 regular session of the legislature.

(4) (A) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o) (3)(A)(i), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(i).

(B) On June 30, 2013, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (o)(3)

(A)(ii), the appropriation for fiscal year 2013 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (o)(3) (A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (o)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2012, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o): *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection (o). At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2012, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (o) (6), the appropriation for fiscal year 2013 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2013, by this or other appropriation act of the 2012 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (o)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection (o), the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2013.

(8) (A) On or before September 1, 2012, after receipt of each certification by the director of the budget pursuant to this subsection (o), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3) and subsection (o)(6) in accordance with such certifications.

(B) On September 1, 2012, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2012, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(D) On or before June 30, 2013, after receipt of each certification by the director of the budget pursuant to subsection (o)(3)(A)(ii), the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (o)(3)(A)(ii) in accordance with such certifications.

(E) On June 30, 2013, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(F) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o), to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) during fiscal year 2013.

(G) On June 30, 2013, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2006.

(H) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection (o) and all reductions and adjustments thereto made pursuant to this subsection (o). The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection (o), "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, and Wichita state university.

(10) The provisions of this subsection (o) shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special

revenue fund of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection (o);

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection (o), including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection (o), is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(12) On or after July 1, 2012, notwithstanding the provisions of K.S.A. 75-4209, and amendments thereto, or any other statute, upon specific authorization in an appropriation act of the legislature, the pooled money investment board is authorized and directed to loan an amount of not more than \$6,000,000 to the state general fund to provide financing for any additional amounts required above the moneys otherwise provided by law to repay amounts provided by law to finance the cost of the 27th payroll chargeable to the fiscal year 2006 and to provide for an adequate reserve in the 27th payroll adjustment account. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Such loan shall not bear interest and shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Any such loan shall be repaid from the state general fund and any appropriate special revenue funds in the state treasury.

(p) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the

provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*; That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(q) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any statute or any rules and regulations to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund for fiscal year 2013, for the secretary of administration to provide parking for state employees on state-owned parking lots located within the state capitol area, as defined by subsection (c) of K.S.A. 75-2240a, and amendments thereto, without charge or cost to such employees for such parking: *Provided*, That this subsection shall not apply to parking garages or other parking structures in such state capitol area or to any state-owned parking lots for which revenues have been pledged to repay bonds issued for the construction of any such parking garage, structure or lot: *Provided further*; That the secretary of administration shall continue otherwise to administer access to state-owned parking lots in accordance with policies and procedures adopted as provided by law, including use of hang tags and waiting lists for specific parking lots, in order to ensure orderly parking procedures: *And provided further*; That the secretary of administration shall make expenditures from moneys appropriated from the state buildings operating fund or any other special revenue funds for the purpose of maintaining the state-owned parking lots.

(r) (1) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013, as authorized by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2012 or fiscal year 2013 for operating expenditures to abolish 70% of all vacant positions in each state agency that are vacant for more than 120 calendar days as of June 30, 2012, in accordance with this subsection.

(2) On or before June 30, 2012, the head of each state agency and the director of the budget shall consult and shall jointly certify to the secretary of administration the number of vacant positions in the state agency that are vacant for more than 120 calendar days as of June 30, 2012, and which vacant positions constitute the 70% of such vacant positions that shall be abolished for the state agency, in accordance with this subsection: *Provided*, That, upon receipt of each such certification, the secretary of administration shall abolish the certified vacant positions on or before July 30, 2012: *Provided further*; That, at the same time as such certification is transmitted to the secretary of administration, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(3) As used in this subsection, "state agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of

the 2012 regular session of the legislature, except that "state agency" shall not include: The legislature or any agency of the legislative branch of state government; the judicial branch or any agency of the judicial branch of state government; the department of corrections; the juvenile justice authority; the Kansas highway patrol; the Kansas department of wildlife, parks and tourism; the Kansas bureau of investigation; the state board of regents; state educational institutions, as defined in K.S.A. 76-711, and amendments thereto; or institutions, as defined in K.S.A. 76-12a01, and amendments thereto.

(s) (1) On July 1, 2012, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2013, except that such amount shall be proportionally adjusted during fiscal year 2013 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2013. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2013 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2013, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2013.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

Sec. 73.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund.....No limit
Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 74.

STATE COURT OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$965,176
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund.....	\$5,000
COTA filing fee fund.....	\$1,026,435

Sec. 75.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....	\$16,079,378
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund.....	No limit
Division of vehicles operating fund.....	\$46,981,886

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2013: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or of any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund.....	No limit
Kansas qualified agricultural ethyl alcohol producer incentive fund.....	No limit
Kansas qualified biodiesel fuel producer incentive fund.....	No limit
Division of vehicles modernization fund.....	No limit
Kansas retail dealer incentive fund.....	No limit
Local report fee fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Forfeited property fee fund.....	No limit
Setoff services revenue fund.....	No limit
Publications fee fund.....	No limit
State bingo regulation fund.....	No limit
Child support enforcement contractual agreement fund.....	No limit
County treasurers' vehicle licensing fee fund.....	No limit
Tax amnesty recovery fund.....	No limit
Reappraisal reimbursement fund.....	No limit

Provided, That all moneys received for the costs incurred for conducting appraisals

for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund.....No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees.....No limit

Federal commercial motor vehicle safety fund.....No limit

State homeland security program federal fund.....No limit

Earned income tax credits – TANF – federal fund.....No limit

Central stores fund.....No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*, That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Performance/registration information systems management federal fund.....No limit

Commercial vehicle information systems/network federal fund.....No limit

Temporary assistance – needy families federal fund.....No limit

Highway planning construction federal fund.....No limit

Immigration MOU federal fund.....No limit

Commercial drivers licensing state program federal fund.....No limit

Real ID program federal fund.....No limit

Microfilming fund.....No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds fund.....No limit

Oil and gas valuation depletion trust fund.....No limit

Liquor excise tax guarantee bond fund.....No limit

Non-resident contractors cash bond fund.....No limit

Bond guaranty fund.....No limit

Interstate motor fuel user cash bond fund.....No limit

Motor fuel distributor cash bond fund.....	No limit
Special county mineral production tax fund.....	No limit
State emergency fund – business restoration assistance.....	No limit
State emergency fund – southeast Kansas business recovery assistance.....	No limit
County drug tax fund.....	No limit
Escheat proceeds suspense fund.....	No limit
Privilege tax refund fund.....	No limit
Suspense fund.....	No limit
Cigarette tax refund fund.....	No limit
Motor-vehicle fuel tax refund fund.....	No limit
Cereal malt beverage tax refund fund.....	No limit
Income tax refund fund.....	No limit
Sales tax refund fund.....	No limit
Compensating tax refund fund.....	No limit
Alcoholic liquor tax refund fund.....	No limit
Cigarette/tobacco products regulation fund.....	No limit
Motor carrier tax refund fund.....	No limit
Car company tax fund.....	No limit
Protested motor carrier taxes fund.....	No limit
Tobacco products refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-1694a.....	No limit
Interstate motor fuel taxes clearing fund.....	No limit
Motor carrier permits escrow clearing fund.....	No limit
Bingo refund fund.....	No limit
Transient guest tax refund fund established by K.S.A. 12-16,100.....	No limit
Interstate motor fuel taxes refund fund.....	No limit
Interfund clearing fund.....	No limit
Local alcoholic liquor clearing fund.....	No limit
International registration plan distribution clearing fund.....	No limit
Rental motor vehicle excise tax refund fund.....	No limit
International fuel tax agreement clearing fund.....	No limit
Mineral production tax refund fund.....	No limit
Special fuels tax refund fund.....	No limit
LP-gas motor fuels refund fund.....	No limit
Local alcoholic liquor refund fund.....	No limit
Sales tax clearing fund.....	No limit
Rental motor vehicle excise tax clearing fund.....	No limit
VIPS/CAMA technology hardware fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax.....	No limit
City and county compensating use tax clearing fund.....	No limit
County and city transient guest tax clearing fund.....	No limit

Automated tax systems fund.....	No limit
Dyed diesel fuel fee fund.....	No limit
Electronic databases fee fund.....	No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund.....	No limit
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Provided, That, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund.....	No limit
Distinctive license plate fund.....	No limit
Repossessed certificates of title fee fund.....	No limit
Hazmat fee fund.....	No limit
Intra-governmental service fund.....	No limit
Community improvement district sales tax administration fund.....	No limit
Community improvement district sales tax refund fund.....	No limit
Community improvement district sales tax clearing fund.....	No limit
Drivers license first responders indicator federal fund.....	No limit
Byrne grant national motor vehicle title information systems federal fund.....	No limit
Enforcing underage drinking federal fund.....	No limit
FDA tobacco program federal fund.....	No limit
Commercial vehicle administrative system fund.....	No limit

(c) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, the director of accounts and reports shall transfer \$11,745,472 from the state highway fund of the department of transportation to the division of vehicles operating fund of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2012, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund of the department of administration to the setoff services revenue fund of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 *et seq.*, and amendments thereto.

(e) On August 1, 2012, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the

agreement.

(f) On July 1, 2012, the director of accounts and reports shall transfer \$576,271 from the state emergency fund-business restoration assistance program of the department of revenue to the state general fund.

(g) On July 1, 2012, the director of accounts and reports shall transfer \$1,289,451 from the state emergency fund-southeast Kansas business recovery assistance of the department of revenue to the state general fund.

(h) On July 1, 2012, notwithstanding the provisions of K.S.A. 2011 Supp. 8-299, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$6,056,000 from the photo fee fund of the department of revenue to the state general fund.

(i) On July 1, 2012, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$2,098,254 from the VIPS/CAMA technology hardware fund of the department of revenue to the state general fund.

(j) On July 1, 2012, notwithstanding the provisions of K.S.A. 75-5159, and amendments thereto, or of any other statute, the director of accounts and reports shall transfer \$6,751,952 from the division of vehicles modernization fund of the department of revenue to the state general fund.

Sec. 76.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund.....	No limit
Lottery operating fund.....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund.....	No limit
Lottery gaming facility manager fund.....	No limit
Expanded lottery act revenues fund.....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection, an amount of not less than \$4,500,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2012, and on or before the 15th of each month thereafter through June 15, 2013: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund to the state gaming revenues fund and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2013: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2013, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,500,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of

accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2013 is equal to or more than \$71,300,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2013 pursuant to this subsection shall be equal to or more than \$71,300,000: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under subsection (d) of K.S.A. 74-8711, and amendments thereto, for fiscal year 2013.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2013, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2013, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2011 Supp. 74-8724, and amendments thereto, during fiscal year 2013: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act, and the Kansas expanded lottery act.

(e) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the expanded lottery act revenues fund to the state general fund within 10 days after such moneys are credited to the expanded lottery act revenues fund: *Provided*, That the transfer of such amounts shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law: *Provided further*, That the moneys transferred from the expanded lottery act revenues fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of revenue, and other state agencies, by other state agencies which receive appropriations from the state general fund to provide such services.

Sec. 77.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund.....No limit
Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund.....No limit
 Racing applicant deposit fund.....No limit
 Kansas horse breeding development fund.....No limit
 Kansas greyhound breeding development fund.....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with subsection (b) of K.S.A. 2011 Supp. 74-8767, and amendments thereto.

Racing investigative expense fund.....No limit
 Horse fair racing benefit fund.....No limit
 Tribal gaming fund.....No limit
Provided, That expenditures from the tribal gaming fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$1,500.

Expanded lottery regulation fund.....No limit
Provided, That expenditures from the expanded lottery regulation fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$2,500.

Live horse racing purse supplement fund.....No limit
 Live greyhound racing purse supplement fund.....No limit
 Greyhound promotion and development fund.....No limit
 Gaming background investigation fund.....No limit
 Education and training fund.....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund.....No limit
Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory activities,

including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however,* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further,* That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2012, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided,* That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2013 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2013 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2013, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with subsection (b) of K.S.A. 75-5516, and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund for fiscal year 2013 for the Kansas racing and gaming commission by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made from the tribal gaming fund for fiscal year 2013 for the state gaming agency regulatory oversight of class III gaming, including but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming, which are hereby authorized.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from

the Kansas greyhound breeding development fund of the Kansas racing and gaming commission to the greyhound tourism fund of the department of wildlife, parks and tourism that is directed to be made on or before June 30, 2013, by subsection (b)(1) of K.S.A. 74-8831, and amendments thereto, and shall transfer on or before June 30, 2013, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2013, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*; That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee, projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund.

Sec. 78.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Employment incentive for persons with a disability.....\$500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Older Kansans employment program.....\$281,202

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the older Kansans employment program account is hereby reappropriated for fiscal year 2013.

Rural opportunity zones program.....\$1,829,838

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2013.

Senior community service employment program.....\$8,075

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the senior community service employment program account is hereby reappropriated for fiscal year 2013.

Strong military bases program.....\$100,000

Governor's council of economic advisors.....\$186,104

Innovation growth program.....\$3,022,805

Creative industries commission.....\$700,000
 Operating grant (including official hospitality).....\$9,194,964
Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund.....	No limit
Kan-grow engineering fund – KU.....	\$3,500,000
Kan-grow engineering fund – KSU.....	\$3,500,000
Kan-grow engineering fund – WSU.....	\$3,500,000
Kansas creative arts industries commission special gifts fund.....	No limit
Governor's council of economic advisors private operations fund.....	No limit
Publication and other sales fund.....	No limit
Conversion of equipment and materials fund.....	No limit
Conference registration and disbursement fund	No limit
Reimbursement and recovery fund.....	No limit
Community development block grant – federal fund.....	No limit
National main street center fund.....	No limit
IMPACT program services fund.....	No limit
IMPACT program repayment fund.....	No limit
Kansas partnership fund.....	No limit

Provided, That the interest rate on any loan made from the Kansas partnership fund shall be annually indexed to the federal discount rate.

General fees fund.....	No limit
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Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Kansas existing industry expansion fund.....	No limit
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Provided, That expenditures may be made from the Kansas existing industry expansion fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under the Kansas existing industry expansion program: *Provided further*; That all moneys received by the department of commerce for repayment of loans made under the Kansas existing industry expansion program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas existing industry expansion fund.

Athletic fee fund.....	No limit
WIA adult – federal fund.....	No limit
WIA youth activities – federal fund.....	No limit
WIA dislocated workers – federal fund.....	No limit
Trade adjustment assistance – federal fund.....	No limit
Disabled veterans outreach program – federal fund.....	No limit
Local veterans employment representative program – federal fund.....	No limit
Wagner Peyser employment services – federal fund.....	No limit
Senior community service employment program – federal fund.....	No limit
Indirect cost – federal fund.....	No limit
State affordable airfare fund.....	No limit
<i>Provided</i> , That the regional economic area partnership, hereinafter referred to as "REAP", shall submit an annual report to the legislature on or before May 1, 2013: <i>Provided further</i> ; That the annual report shall be delivered and REAP shall appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding such annual report: <i>And provided further</i> ; That the secretary of commerce shall conduct an independent review of the financial reports submitted by REAP and an analysis of the data used by REAP: <i>And provided further</i> ; That the secretary of commerce shall submit a report and appear in person to the house committee on commerce and economic development, the house committee on appropriations, the senate committee on commerce and the senate committee on ways and means regarding these matters: <i>And provided further</i> ; That the secretary of commerce shall develop and implement the necessary procedures to conduct such a review.	
Temporary labor certification foreign workers – federal fund.....	No limit
Work opportunity tax credit – federal fund.....	No limit
American job link alliance – federal fund.....	No limit
American job link alliance job corps – federal fund.....	No limit
Early childhood associate apprenticeship program – federal fund.....	No limit
Registered apprenticeship works – federal fund.....	No limit
Green jobs grant – federal fund.....	No limit
Enterprise facilitation fund.....	No limit
Unemployment insurance – federal fund.....	No limit
State small business credit initiative – federal fund.....	No limit
Second chance act – federal fund.....	No limit
SBA step grant – federal fund.....	No limit
H-1B technical skills training grant – federal fund.....	No limit
Creative industries commission gifts, grants and bequests – federal fund.....	No limit
Energy efficiency revolving loan – federal fund.....	No limit
State broadband data development – federal fund.....	No limit
Transition assistance program – federal fund.....	No limit
Veteran workforce investment program – federal fund.....	No limit
Health profession opportunity – federal fund.....	No limit
Health care workforce planning – federal fund.....	No limit
Kansas creative arts industries commission checkoff fund.....	No limit

Creative industries fund.....No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2013, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue funds of the department of commerce for fiscal year 2013, in accordance with the provisions of this or other appropriation act of the 2012 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for the department of commerce as authorized by this or other appropriation act of the 2012 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund for fiscal year 2013 for official hospitality.

(f) On or after July 1, 2012, the secretary of commerce shall certify to the director of the budget and to the director of accounts and reports a report of the activities of the regional economic area partnership (REAP) and the progress attained by REAP during the fiscal year 2012 to develop and implement the program to provide more air flight options, more competition for air travel and affordable air fares for Kansas, including a regional airport in western Kansas. At the same time as such certification is transmitted to the director of accounts and reports and the director of the budget, the secretary of commerce shall transmit a copy of such certification to the director of the legislative research department. Upon receipt of such certification from the secretary of commerce, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state economic development initiatives fund to the state affordable airfare fund of the department of commerce.

(g) Any unencumbered balance of the engineering expansion grants account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(h) Any unencumbered balance of the small technology pilot program account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(i) Any unencumbered balance of the entrepreneurial centers account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(j) Any unencumbered balance of the centers of excellence account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(k) Any unencumbered balance of the MAMTC account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated to the innovation growth program account of the state economic development initiatives fund for fiscal year 2013.

(l) Any unencumbered balance of the air service incentive fund account of the state economic development initiatives fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(m) On July 1, 2012, the governor's economic council private operations fund of the department of commerce is hereby redesignated as the governor's council of economic advisors private operations fund of the department of commerce.

Sec. 79.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund.....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of Kansas housing resources corporation.

Sec. 80.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$383,069

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2013, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 *et seq.*, and 75-4321 *et seq.*, and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund.....	\$10,681,804
Occupational health and safety – federal fund.....	No limit
Boiler inspection fee fund.....	No limit
Employment security interest assessment fund.....	No limit
Special employment security fund.....	No limit

Provided, That expenditures may be made from the special employment security fund for payment of communications costs: *Provided further*, That expenditures from this fund for payment of communications costs shall not exceed \$10,000.

Employment security administration fund.....	No limit
Wage claims assignment fee fund.....	No limit
Employment security computer systems institute fund.....	No limit
Department of labor special projects fund.....	No limit
Federal indirect cost offset fund.....	\$316,149
Employment security fund.....	No limit
Labor force statistics federal fund.....	No limit
Compensation and working conditions federal fund.....	No limit
Employment services Wagner-Peyser funded activities federal fund.....	No limit
Dispute resolution fund.....	No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from the employment security fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the employment security fund from moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of debt service on a bond issued for the rewrite of the unemployment insurance benefit system: *Provided*, That expenditures from the employment security fund during fiscal year 2013 of moneys made available to the state under section 903(d) of the federal social security act, as amended, for payment of such debt service shall not exceed \$2,642,600.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement purposes: Payment on the master lease agreement for the renovation of the Eastman building on the Topeka west complex: *Provided*, That expenditures from this fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$18,874: *Provided further*, That all

expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 81.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures – veteran services.....\$1,216,059
Provided, That any unencumbered balance in the operating expenditures – veterans services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.
- Operations – state veterans cemeteries\$536,229
Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.
- Operating expenditures – Kansas soldiers' home.....\$1,862,404
Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Operating expenditures – Kansas veterans' home.....\$2,255,375
Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
- Scratch lotto – Kansas veterans' home.....\$99,850
- Scratch lotto – veterans services.....\$326,090
- Scratch lotto – Kansas soldiers' home.....\$73,232
- Scratch lotto – veterans cemeteries.....\$156,839
- Operating expenditures – administration.....\$392,970
Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.
- Veterans claim assistance program – service grants.....\$576,000
Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund.....	\$1,746,487
Soldiers' home benefit fund.....	No limit
Soldiers' home work therapy fund.....	No limit
Soldiers' home medicare fund.....	No limit
Soldiers' home medicaid fund.....	No limit
Soldiers' home canteen fund.....	No limit
Veterans' home medicare fund.....	No limit
Veterans' home medicaid fund.....	No limit
Veterans' home fee fund.....	\$3,297,286
Veterans' home canteen fund.....	No limit
Veterans' home benefit fund.....	No limit
Soldiers' home outpatient clinic fund.....	No limit
State veterans cemeteries fee fund.....	No limit
State veterans cemeteries donations and contributions fund.....	No limit
Outpatient clinic patient federal reimbursement fund – federal.....	No limit
VA burial reimbursement fund – federal.....	\$124,923
Veterans home federal fund.....	\$3,611,932
Soldiers home federal fund.....	\$2,408,862
Commission on veterans affairs federal fund.....	\$210,739
Kansas veterans memorials fund.....	No limit
Vietnam war era veterans' recognition award fund.....	No limit
Kansas hometown heroes fund.....	No limit

(c) (1) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2011 Supp. 73-1233, and amendments thereto, or any other statute, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs to another special revenue fund of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection (c), "special revenue fund" means the soldiers' home fee fund, veterans' home fee fund, soldiers' home outpatient clinic fund, soldiers' home benefit fund, soldiers' home work therapy fund, veterans' home canteen fund, soldiers' home canteen fund, veterans' home benefit fund, Persian Gulf War veterans health initiative fund, state veterans cemeteries fee fund, state veterans cemeteries donations and contributions fund, and Kansas veterans memorials fund.

(d) During the fiscal year ending June 30, 2013, the executive director of the Kansas commission on veterans affairs, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas commission on veterans affairs or any institution or facility under the general supervision of management of the Kansas commission on veterans affairs to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas commission on veterans affairs or any

institution or facility under the general supervision and management of the Kansas commission on veterans affairs. The executive director of the Kansas commission on veterans affairs shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 82.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,826,174

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of health in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating expenditures (including official hospitality) – health.....\$3,296,900

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Office of the inspector general.....\$79,722

Provided, That any unencumbered balance in the office of the inspector general account of the department of health and environment – division of health care finance in excess of \$100 as of June 30, 2012, is hereby reappropriated to the office of the inspector general account of the above agency for fiscal year 2013.

Vaccine purchases.....\$732,897

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Aid to local units.....\$4,805,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects.....\$7,877,649

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchase of drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee

discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted.

Aid to local units – women's wellness.....\$94,296

Provided, That any unencumbered balance in the aid to local units – family planning account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the aid to local units – women's wellness account for fiscal year 2013: *Provided further*, That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs.....\$447,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Breast cancer screening program.....\$219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ryan White matching funds.....\$47,682

Provided, That any unencumbered balance in the Ryan White matching funds account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Pregnancy maintenance initiative.....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Cerebral palsy posture seating.....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

PKU treatment.....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Teen pregnancy prevention activities.....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance – federal fund.....No limit

Substance abuse and mental health services administration – federal fund.....No limit

Breast and cervical cancer program and detection – federal fund.....No limit

Health and environment training fee fund – health.....No limit

Provided, That expenditures may be made from the health and environment training

fee fund – health for acquisition and distribution of division of health program literature and films and for participation in or conducting training seminars for training employees of the division of health of the department of health and environment, for training recipients of state aid from the division of health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2013 for agency operations for the division of health.

- Health facilities review fund.....No limit
- Insurance statistical plan fund.....No limit
- Health and environment publication fee fund – health.....No limit
- Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.
- District coroners fund.....No limit
- Sponsored project overhead fund – health.....No limit
- Tuberculosis elimination and laboratory – federal fund.....No limit
- Maternity centers and child care facilities licensing fee fund.....No limit
- Child care and development block grant – federal fund.....No limit
- Federal supplemental funding for tobacco prevention and control – federal fund....No limit
- Coordinated chronic disease prevention and health promotion program – federal fund.....No limit
- Office of rural health – federal fund.....No limit
- Emergency medical services for children – federal fund.....No limit
- Primary care offices – federal fund.....No limit
- Injury intervention – federal fund.....No limit
- Oral health workforce activities – federal fund.....No limit
- Rural hospital flex program – federal fund.....No limit
- Hospital bioterrorism preparedness – federal fund.....No limit
- Kansas coalition against sexual and domestic violence – federal fund.....No limit
- ARRA migrant health – federal fund.....No limit
- ARRA child care development – federal fund.....No limit
- ARRA Kansas health information exchange project – federal fund.....No limit
- ARRA epidemiology and lab capacity – federal fund.....No limit

ARRA immunization and vaccines for children – federal fund.....	No limit
ARRA women infants and children – federal fund	No limit
ARRA primary care offices – federal fund.....	No limit
ARRA collaborative component I – federal fund.....	No limit
ARRA collaborative component III – federal fund.....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund.....	No limit
ARRA prevention of healthcare associated infections – federal fund.....	No limit
Medicare – federal fund.....	No limit
<i>Provided</i> , That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.	
Migrant health program – federal fund.....	No limit
Refugee health – federal fund.....	No limit
Strengthen public health immunization infrastructure – federal fund.....	No limit
Healthy homes and lead poisoning prevention – federal fund.....	No limit
Children's mercy hospital lead program – federal fund.....	No limit
Women, infants and children health program – federal fund.....	No limit
WIC health program fund – senior farmer's market – federal.....	No limit
Assistance for firefighters grant program – federal fund	No limit
Immunization and vaccines for children grants – federal fund.....	No limit
Home visiting grant – federal fund.....	No limit
Preventive health block grant – federal fund.....	No limit
Maternal and child health block grant – federal fund.....	No limit
National center for health statistics – federal fund.....	No limit
Title X family planning services program – federal fund.....	No limit
Comprehensive STD prevention systems – federal fund.....	No limit
Children with special health care needs – federal fund.....	No limit
Make a difference information network – federal fund.....	No limit
Ryan White Title II – federal fund.....	No limit
Bicycle helmet distribution – federal fund.....	No limit
Bicycle helmet revolving fund.....	No limit
SSA fee fund.....	No limit
Lead certification cooperation agreement – federal fund.....	No limit
Childhood lead poisoning prevention program – federal fund	No limit
State implementation projects for prevention of secondary conditions – federal fund	No limit
Title IV-E – federal fund.....	No limit
HIV prevention projects – federal fund	No limit
HIV/AIDS surveillance – federal fund	No limit
Infants & toddlers Title 1 – federal fund.....	No limit
Universal newborn hearing screening – federal fund.....	No limit
State loan repayment program – federal fund	No limit
Opt-out testing initiative – federal fund	No limit
Kansas system for early registration of volunteers – federal fund	No limit

Cardiovascular health programs – federal fund	No limit
Adult lead surveillance data – federal fund	No limit
Medical reserve corps contract – federal fund	No limit
Trauma fund.....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2013 from the trauma fund of the department of health and environment – division of health for the stroke prevention project: <i>Provided further</i> , That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security – federal fund	No limit
Homeland security real ID – federal fund	No limit
Special education state grants – federal fund.....	No limit
Refugee assistance – federal fund.....	No limit
Personal responsibility education program – federal fund.....	No limit
Mammography quality standards act – federal fund.....	No limit
Education, training, and enhanced services to end violence against and abuse of women with disabilities – federal fund	No limit
Diagnostic x-ray program – federal fund	No limit
HRSA small hospital improvement grant program – federal fund	No limit
State indoor radon grant – federal fund	No limit
HUD lead hazard control program of Kansas City – federal fund.....	No limit
Gifts, grants and donations fund – health.....	No limit
Special bequest fund – health.....	No limit
Civil registration and health statistics fee fund.....	No limit
Power generating facility fee fund	No limit
Nuclear safety emergency preparedness special revenue fund.....	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of health from the adjutant general from the nuclear safety emergency management fee fund of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of health.	
Radiation control operations fee fund.....	No limit
Lead-based paint hazard fee fund.....	No limit
Strengthening public health infrastructure – federal fund.....	No limit
Improving minority health – federal fund	No limit
Abstinence education – federal fund.....	No limit
Affordable care act – federal fund	No limit
Carbon monoxide detector/fire injury prevention – federal fund.....	No limit
Health information exchange – federal fund.....	No limit
Kansas newborn screening fund.....	No limit
(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:	
Healthy start.....	\$237,914
<i>Provided</i> , That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Infants and toddlers program.....	\$5,700,000
<i>Provided</i> , That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year	

2013.

Smoking prevention.....\$1,000,000
Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn hearing aid loaner program.....\$47,161
Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

SIDS network grant.....\$96,374
Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Newborn screening.....\$233,190
Provided, That any unencumbered balance in the newborn screening account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health of the department of health and environment – division of health.

(e) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care/development block grant federal fund of the Kansas department for children and families to the child care and development block grant – federal fund of the department of health and environment – division of health.

(f) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of health, which have available moneys, to the sponsored project overhead fund – health of the department of health and environment – division of health for expenditures, as the case may be, for administrative expenses.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by

law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature: *Provided, however*; That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(h) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of health to the sponsored project overhead fund – health of the department of health and environment – division of health pursuant to this section may include amounts equal to up to 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health from moneys appropriated from the district coroners fund for fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of health from such moneys appropriated from the district coroners fund for fiscal year 2013 pursuant to K.S.A. 22a-242, and amendments thereto.

(k) During the fiscal year ending June 30, 2013, subject to any applicable requirements of federal statutes, rules, regulations or guidelines, any expenditures or grants of money by the department of health and environment – division of health for family planning services financed in whole or in part from federal title X moneys shall be made subject to the following two priorities: First priority to public entities (state, county, local health departments and health clinics) and, if any moneys remain, then, Second priority to non-public entities which are hospitals or federally qualified health centers that provide comprehensive primary and preventative care in addition to family planning services: *Provided*, That, as used in this subsection "hospitals" shall have the same meaning as defined in K.S.A. 65-425, and amendments thereto, and "federally qualified health center" shall have the same meaning as defined in K.S.A. 65-1669, and amendments thereto.

Sec. 83.

DEPARTMENT OF HEALTH AND ENVIRONMENT – DIVISION

OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Health policy operating expenditures\$11,743,027

Provided, That any unencumbered balance in the operating expenditures account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the health policy operating expenditures account of the above agency for fiscal year 2013: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance \$634,870,000

Provided, That any unencumbered balance in the other medical assistance account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the joint committee on health policy oversight prior to the start of the regular session of the legislature in 2013.

Children's health insurance program.....\$19,293,612

Provided, That any unencumbered balance in the children's health insurance program account of the Kansas health policy authority in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's health insurance program account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund\$671,552

Cafeteria benefits fundNo limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$1,920,129.

State workers compensation self-insurance fund..... No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$3,698,812.

Dependent care assistance program fund No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$430,916.

Non-state employer group benefit fund\$153,313

Division of health care finance special revenue fund No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed

\$1,000.

Health committee insurance fund.....	\$305,571
Health care database fee fund	No limit
Association assistance plan fund.....	No limit
Medical programs fee fund	\$64,826,805
Health benefits administration clearing fund – remit admin service org	No limit
<i>Provided</i> , That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2013, for salaries and wages and other operating expenditures shall not exceed \$7,854,305.	
Health insurance premium reserve fund.....	No limit
Other state fees fund	\$627,912
Health care access improvement fund.....	No limit
Children's health insurance program federal fund	No limit
State planning – health care – uninsured fund	No limit
Medicaid infrastructure grant – disability employment federal fund	No limit
HIV care formula grant federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Quality care fund.....	\$0
Quality based community assessment fund.....	No limit
Medicaid management information system and data analysis fund.....	\$1,000,000

Provided, That all moneys in the medicaid management information system and data analysis fund shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *Provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(c) During the fiscal year ending June 30, 2013, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2013, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

Sec. 84.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....	\$6,347,161
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account of the department of health and environment – division of environment in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Mined-land conservation and reclamation fee fund.....No limit
- Publication fee fund – environment.....No limit
- Solid waste management fund.....No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2013, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

- Public water supply fee fund.....No limit
- Voluntary cleanup fund.....No limit
- Storage tank fee fund.....No limit
- Air quality fee fund.....No limit
- Hazardous waste collection fund.....No limit
- Health and environment training fee fund – environment.....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2013, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2012 for agency operations for the division of environment.

- Driving under the influence equipment fund.....No limit
- Waste tire management fund.....No limit
- Health and environment publication fee fund – environment.....No limit

Provided, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund.....	No limit
Surface mining fee fund.....	No limit
Environmental response fund.....	No limit
Sponsored project overhead fund – environment.....	No limit
Chemical control fee fund.....	No limit
QuantiFERON TB laboratory fund.....	No limit
Resource conservation and recovery act – federal fund.....	No limit
Superfund state cooperative agreements – federal fund.....	No limit
Water supply – federal fund.....	No limit
Air quality section 103 – federal fund.....	No limit
EPA – core support – federal fund.....	No limit
Network exchange grant – federal fund.....	No limit
ARRA Kansas clean diesel assistance program grant – federal fund.....	No limit
Performance partnership grants – federal fund.....	No limit
Kansas clean diesel grant – federal fund.....	No limit
Air quality program – federal fund.....	No limit
Section 106 monitoring initiative – federal fund.....	No limit
Air quality section 105 – federal fund.....	No limit
Leaking underground storage tank trust – federal fund.....	No limit
Surface mining control and reclamation act – federal fund.....	No limit
Abandoned mined-land – federal fund.....	No limit
Department of defense and state cooperative agreement – federal fund.....	No limit
EPA non-point source – federal fund.....	No limit
Pollution prevention program – federal fund.....	No limit
EPA operator expense reimbursement for drinking water – federal fund.....	No limit
EPA water monitoring – federal fund.....	No limit
Gifts, grants and donations fund – environment.....	No limit
Special bequest fund – environment.....	No limit
Aboveground petroleum storage tank release trust fund.....	No limit
Underground petroleum storage tank release trust fund.....	No limit
Drycleaning facility release trust fund.....	No limit
Public water supply loan fund.....	No limit
Public water supply loan operations fund.....	No limit
Kansas water pollution control revolving fund.....	No limit
<i>Provided</i> , That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L.92-500) shall be credited to the Kansas water pollution control revolving fund: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund.....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds.....	No limit

Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds.....	No limit
Debt service reserve fund.....	No limit
EPA water related grants – federal fund.....	No limit
<i>Provided</i> , That no moneys from any grant that requires the matching expenditure of any other moneys in the state treasury during the current or any ensuing fiscal year shall be deposited to the credit of the EPA water related grants – federal fund.	
Subsurface hydrocarbon storage fund.....	No limit
Natural resources damages trust fund.....	No limit
Hazardous waste management fund.....	No limit
Brownfields revolving loan program – federal fund.....	No limit
Mined-land reclamation fund.....	No limit
Operator outreach training program – federal fund.....	No limit
Underground storage tank – federal fund.....	No limit
EPA underground injection control – federal fund.....	No limit
Laboratory medicaid cost recovery fund – environment.....	No limit
EPA state response program – federal fund.....	No limit
Environmental use control fund.....	No limit
Environmental response remedial activity specific sites – federal fund.....	No limit
Emergency environmental response – nonspecific sites federal fund.....	No limit
Medicare program – environment – federal fund.....	No limit
EPA pollution prevention – federal fund.....	No limit
Inspections Kansas infrastructure projects – federal fund.....	No limit
Marais Des Cygnes targeted watershed project – federal fund.....	No limit
Healthy watershed initiative – federal fund.....	No limit
Salt solution mining well plugging fund.....	No limit
UST redevelopment fund.....	No limit
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified as follows:	
Contamination remediation.....	\$775,000
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
TMDL initiatives and use attainability analysis.....	\$200,000
<i>Provided</i> , That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Watershed restoration and protection plan.....	\$625,000
<i>Provided</i> , That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	
Local environmental protection program.....	\$800,000
<i>Provided</i> , That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.	

Nonpoint source program.....\$296,761

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, for the project specified as follows:

Newborn screening.....\$1,187,081

(e) During the fiscal year ending June 30, 2013, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(g) On July 1, 2012, and on other occasions during fiscal year 2013 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment, which amounts constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment of the department of health and environment – division of environment.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment of the department of health and environment – division of environment or to the sponsored project overhead fund – health of the department of health and environment – division of health, as the case may be, for expenditures for administrative expenses.

(i) During the fiscal year ending June 30, 2013, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2013 from the state general fund for the department of health and environment – division of health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to

the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) During the fiscal year ending June 30, 2013, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 85.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Administration.....\$551,026
Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,748.

Administration – assessments.....\$36,296
Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level II care.....\$44,042
Provided, That any unencumbered balance in the administration – assessments – Level II care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – assessments – Level I care.....\$363,826
Provided, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid.....\$1,481,510
Provided, That any unencumbered balance in the administration – medicaid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – medicaid MFP – admin match.....\$2,821
Provided, That any unencumbered balance in the administration – medicaid MFP – admin match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Administration – older Americans act match.....\$171,349
Provided, That any unencumbered balance in the administration – older Americans act match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Senior care act.....\$2,667,848
Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on

aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition – state match.....\$3,845,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2012: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2012: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – TCM/FE.....\$2,512,895

Provided, That any unencumbered balance in the LTC – medicaid assistance – TCM/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – TCM/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – HCBS/FE.....\$32,023,028

Provided, That any unencumbered balance in the LTC – medicaid assistance – HCBS/FE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from the LTC – medicaid assistance – HCBS/FE account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance – NF.....\$175,661,600

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That all people receiving or applying for services that are

funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures: *And provided further*, That, notwithstanding the provisions of K.S.A. 2011 Supp. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services shall institute trending methods to provide rate increases for nursing facilities for fiscal year 2013.

LTC – medicaid assistance – PACE.....\$2,458,943

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation.....\$464,221

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing facilities regulation – title XIX.....\$1,011,379

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Any unencumbered balance in the LTC – medicaid assistance – MFP account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Health occupational credentialing.....\$645,573

State operations.....\$11,231,497

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the state operations account for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants.....\$1,811,703

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the alcohol and drug abuse services grant account of the above agency for fiscal year 2013.

Mental health and retardation services aid and assistance.....\$181,327,163

Provided, That any unencumbered balance in the mental health and retardation services aid and assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the mental health and retardation services aid and assistance account of the above agency for fiscal year 2013.

Kansas neurological institute – operating expenditures.....\$10,322,454

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account of the department of social and rehabilitation services in

excess of \$100 as of June 30, 2012, is hereby reappropriated to the Kansas neurological institute – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Kansas neurological institute – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further;* That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures.....\$31,734,072

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Larned state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *Provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further;* That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment program.....\$16,631,179

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Larned state hospital – sexual predator treatment program account of the above agency for fiscal year 2013.

Osawatomie state hospital – operating expenditures\$14,648,181

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Osawatomie state hospital – operating expenditures account of the above agency for fiscal year 2013: *Provided however;* That expenditures from the Osawatomie state hospital – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Parsons state hospital and training center – operating expenditures.....\$10,200,226

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Parsons state hospital and training center – operating expenditures account of the above agency for fiscal year 2013: *Provided, however;* That expenditures from the Parsons state hospital and training center – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150: *And provided further;* That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital

and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Rainbow mental health facility – operating expenditures.....\$4,470,110

Provided, That any unencumbered balance in the Rainbow mental health facility – operating expenditures account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the Rainbow mental health facility – operating expenditures account of the above agency for fiscal year 2013: *Provided, however*; That expenditures from the Rainbow mental health facility – operating expenditures account of the above agency for official hospitality by the superintendent shall not exceed \$150.

Children's mental health initiative.....\$335,210

Provided, That any unencumbered balance in the children's mental health initiative account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health initiative account of the above agency for fiscal year 2013: *Provided, however*; That no expenditures shall be made from the children's mental health initiative account of the above agency for inpatient hospital beds for children.

Community based services.....\$89,181,531

Provided, That any unencumbered balance in the community based services account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community based services account of the above agency for fiscal year 2013.

Other medical assistance.....\$126,577,754

Provided, That any unencumbered balance in the other medical assistance account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the other medical assistance account of the above agency for fiscal year 2013.

Community mental health centers supplemental funding.....\$2,500,000

Provided, That any unencumbered balance in the community mental health centers supplemental funding account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the community mental health centers supplemental funding account of the above agency for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund.....\$47,323,202

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and retardation services may be credited to the title XIX fund: *Provided further*; That moneys in the title XIX

fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute fee fund.....\$1,569,143

Kansas neurological institute – foster grandparents program – federal fund.....\$382,909

Kansas neurological institute – FGP gifts, grants, donations special fund.....No limit

Kansas neurological institute – FGP gifts, grants, donations fund.....No limit

Kansas neurological institute – patient benefit fund.....No limit

Kansas neurological institute – work therapy patient benefit fund.....No limit

Kansas neurological institute – conferences fees fund.....No limit

Provided, That all moneys received as fees for conference activities by Kansas neurological institute shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas neurological institute – conferences fees fund: *Provided further*, That the superintendent of Kansas neurological institute is hereby authorized to fix, charge and collect fees for conference activities sponsored by Kansas neurological institute: *And provided further*, That expenditures may be made from this fund to defray the costs of such conference activities.

Larned state hospital fee fund.....\$4,466,618

Larned state hospital – elementary and secondary education fund – federal.....No limit

Larned state hospital – vocational education fund – federal.....No limit

Larned state hospital – motor pool revolving fund.....No limit

Larned state hospital – work therapy patient benefit fund.....No limit

Larned state hospital – canteen fund.....No limit

Larned state hospital – patient benefit fund.....No limit

Osawatomie state hospital – ECIA fund – federal.....No limit

Osawatomie state hospital – canteen fund.....No limit

Osawatomie state hospital – patient benefit fund.....No limit

Osawatomie state hospital – work therapy patient benefit fund.....No limit

Osawatomie state hospital – motor pool revolving fund.....No limit

Osawatomie state hospital – training fee revolving fund.....No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund.....\$9,200,303

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall

be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Parsons state hospital and training center – canteen fund.....No limit
 Parsons state hospital and training center – patient benefit fund.....No limit
 Parsons state hospital and training center – work therapy patient benefit fund.....No limit
 Parsons state hospital and training center fee fund.....\$1,354,867

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Rainbow mental health facility fee fund.....\$2,424,365
 Rainbow mental health facility – patient benefit fund.....No limit
 Rainbow mental health facility – work therapy patient benefit fund.....No limit
 AoA demonstration lifespan respite project.....No limit
 Community putting prevention to work.....No limit
 Special program for aging IIIB – federal fund.....No limit
 Special program for aging IIIC – federal fund.....No limit
 Special program for aging IIID – federal fund.....No limit
 National family caregiver support program IIIE – federal fund.....No limit
 Special program for aging IV & II – federal fund.....No limit
 Special program for aging VII-2 – federal fund.....No limit
 Special program for aging VII-3 – federal fund.....No limit
 Alzheimer's disease fund.....No limit
 Survey & certification – federal fund.....No limit
 Center for medicare/medicaid service – federal fund.....No limit
 Money follows the person grant – federal fund.....No limit
 Medicaid assistance program – federal fund.....No limit

Provided, That transfers of moneys from the title XIX fund – federal to the state fire marshal may be made during fiscal year 2013 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Social service block grant fund.....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from

the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2012 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2012: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2013 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2012: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

- Nutrition service incentive program fund – federal.....No limit
- National bioterrorism hospital preparedness program – federal fund.....No limit
- Senior citizen nutrition check-off fund.....No limit
- Conferences and workshops attendance and publications fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to fix, charge and collect conference and workshop attendance fees for conferences and workshops sponsored by the Kansas department for aging and disability services and fees for copies of publications: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conferences and workshops attendance and publications fees fund: *And provided further*, That expenditures may be made from this fund to defray all or part of the costs of such conferences and workshops including official hospitality and of such publications.

- Health policy nursing facility quality care fund.....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the Kansas health policy authority, is hereby authorized to collect the quality care assessment under K.S.A. 2011 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2011 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the health policy nursing facility quality care fund: *Provided further*, That all moneys in the health policy nursing facility quality care fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2011 Supp. 75-7435, and amendments thereto.

- State licensure fee fund.....No limit
- General fees fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures shall be made from this fund to meet the obligations of the department on aging, or to benefit and meet the mission of the Kansas department for

aging and disability services.

Gifts and donations fund.....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund.....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury and in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *Provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund and expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal.....No limit

Senior services fund.....No limit

Long-term care loan and grant fund.....No limit

Intergovernmental transfer administration fund.....\$0

Non-government grant fund.....No limit

Health facilities review fund.....No limit

Medicare enrollment assistance program fund – federal.....No limit

Medical assistance program – federal fund.....No limit

DADS social welfare fund.....\$222,900

Other state fees fund.....No limit

Substance abuse/mental health services federal fund.....No limit

Community mental health block grant federal fund.....No limit

Prevention/treatment substance abuse federal fund.....No limit

Problem gambling and addictions grant fund.....No limit

Alternatives to psych. resid. treatment facilities for children

federal fund.....No limit

Substance abuse performance outcome grant federal fund.....No limit

ADAS data collection grant federal fund.....No limit

Money follows the person rebalancing demonstration federal

fund.....No limit

Temporary assistance for needy families – fed funds.....No limit

Public health/social services emergency response federal fund.....No limit

Assistance in transition from homelessness federal fund.....No limit

Developmental disabilities basic support federal fund.....No limit

Olmstead fellowship program.....No limit

Medicare fund.....No limit

Medicare fund – oasis.....No limit

Nonfederal reimbursements fund.....No limit
Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Family centered system of care.....\$4,750,000
Children's mental health waiver.....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account of the department of social and rehabilitation services in excess of \$100 as of June 30, 2012, is hereby reappropriated to the children's mental health waiver account of the above agency for fiscal year 2013.

(d) On July 1, 2012, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund to the Osawatomie state hospital – patient benefit fund.

(e) On July 1, 2012, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund to the Parsons state hospital and training center – patient benefit fund.

(f) On July 1, 2012, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund to the Larned state hospital – patient benefit fund.

(g) During the fiscal year ending June 30, 2012, no moneys paid by the Kansas department for aging and disability services from the mental health and retardation services aid and assistance account of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2013, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of

health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the department of health and environment – division of health, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2013 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2013: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2013 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(j) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC – medicaid assistance – NF account of the state general fund of the Kansas department for aging and disability services to the LTC – medicaid assistance – HCBS/FE account of the state general fund of the Kansas department for aging and disability services or to the community based services account of the Kansas department for aging and disability services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2012, and on June 1, 2013, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That each of the individuals transferred must meet the requirements described in a policy jointly developed by the secretary for aging and disability services and the secretary for children and families governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the Kansas department for aging and disability services shall report to the legislature at the beginning of the regular session in 2013 with expenditure data regarding this program.

(k) On July 1, 2012, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund of the health care stabilization fund board of governors to the health facilities review fund of the Kansas department for aging and disability services for the purpose of financing a review of records of licensed medical

care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 *et seq.*, and amendments thereto.

(l) During the fiscal year ending June 30, 2013, in addition to other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2013, to contract for mental health education, outreach and advocacy services with keys for networking, the national alliance on mental illness, and the consumer advisory council in an amount not less than \$150,000 for each contract for such mental health education, outreach and advocacy services.

Sec. 86.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State operations.....\$94,621,395

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the state operations account for official hospitality shall not exceed \$500.

Youth services aid and assistance.....\$103,188,486

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational rehabilitation aid and assistance.....\$6,162,641

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*; That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work site and job tryout sites throughout the state.

Cash assistance.....\$30,133,787

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund.....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury and credited to the nonfederal reimbursements fund.

Social services clearing fund.....	No limit
Social welfare fund.....	\$28,680,312
Other state fees fund.....	No limit
Child welfare services state grants federal fund.....	No limit
Social services block grant – federal fund.....	No limit
Child care/development block grant federal fund.....	No limit
Temporary assistance to needy families federal fund.....	No limit
Promoting safe/stable families federal fund.....	No limit
Title IV-E foster care federal fund.....	No limit
Medical assistance program federal fund.....	No limit
Rehabilitation services – vocational rehabilitation federal fund.....	No limit
Enhance child safety – parental substance abuse federal fund.....	No limit
SRS enterprise fund.....	No limit
SRS trust fund.....	No limit
Child support enforcement federal fund.....	No limit
Energy assistance block grant federal fund.....	No limit
Family and children trust account – family and children	

investment fund..... No limit
Provided, That expenditures from the family and children trust account – family and children investment fund for official hospitality shall not exceed \$1,500.

Low-income home energy assistance federal fund.....	No limit
Commodity supp food program federal fund.....	No limit
Social security – disability insurance federal fund.....	No limit
Supplemental nutrition assistance program federal fund.....	No limit
Emergency food assistance program federal fund.....	No limit
Child care and development mandatory and matching	
federal fund.....	No limit
Community-based child abuse prevention grants federal fund.....	No limit
Chafee education and training vouchers program federal fund.....	No limit
Title IV-E FDF federal fund.....	No limit
Adoption incentive payments federal fund.....	No limit
State sexual assault and domestic violence coalitions	
grants federal fund.....	No limit
National bioterrorism hospital preparedness program federal fund.....	No limit
Assistance in transition from homelessness federal fund.....	No limit
Adoption assistance federal fund.....	No limit
Chafee foster care independence program federal fund.....	No limit
Refugee and entrant assistance federal fund.....	No limit
Head start federal fund.....	No limit
Developmental disabilities basic support federal fund.....	No limit
Children's justice grants to states federal fund.....	No limit
Child abuse and neglect state grants federal fund.....	No limit
Independent living state grants federal fund.....	No limit
Independent living services for older blind federal fund.....	No limit

Supported employment for individuals with severe disabilities federal fund.....	No limit
Rehabilitation training – general training federal fund.....	No limit
CMS research, demonstration and evaluations federal fund.....	No limit
Administrative matching grants for food assistance program federal fund.....	No limit
Temporary assistance for needy families emergency funds federal fund.....	No limit
Rehabilitation services – vocational rehabilitation – ARRA federal fund.....	No limit
Independent living older blind – ARRA federal fund.....	No limit
Prevention fellowship program grant federal fund.....	No limit
Federal Olmstead grant federal fund.....	No limit
Child care discretionary federal fund	No limit
Supplemental security income federal fund.....	No limit
Child support enforcement research federal fund	No limit
Child abuse and neglect discretionary federal fund.....	No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet accountability fund.....\$519,325
Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Child care.....\$5,033,679
Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early head start.....\$66,584
Provided, That any unencumbered balance in the early head start account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Family preservation.....\$2,154,357
Provided, That any unencumbered balance in the family preservation grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Quality initiative infants & toddlers.....\$500,000
Provided, That any unencumbered balance in the quality initiative infants & toddlers account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Early childhood block grant.....\$18,179,410
Provided, That any unencumbered balance in the early childhood block grant account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading roadmap program.....\$256,637
Provided, that any unencumbered balance in the reading roadmap program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(d) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2013, the following:

Children's cabinet administration.....\$264,126

(e) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any

item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2013 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2013, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund to the social welfare fund the amount specified by the secretary for children and families.

(h) During the fiscal year ending June 30, 2013, all moneys received by the secretary for children and families, to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund, shall be deposited in the state treasury to the credit of the family and children endowment account of the family and children investment fund.

(i) During the fiscal year ending June 30, 2013, to the extent it is determined by the secretary for children and families to be cost effective, the secretary for children and families shall apply for and accept donations from private sources to provide an endowment to provide interest earnings for the purposes for which expenditures may be made from the family and children trust account of the family and children investment fund. During the fiscal year ending June 30, 2013, upon receipt of one or more donations of moneys from private sources for deposit to the credit of the family and children endowment account of the family and children investment fund, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from any moneys appropriated from the state general fund or any special revenue fund or funds for the fiscal year 2013, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from any such moneys appropriated for fiscal year 2013 for payments into the family and children endowment account of the family and children investment fund that match the aggregate amount of all such donations and that are equal to the aggregate amount of moneys donated to and credited to the family and children endowment account of the family and children investment fund during fiscal year 2013.

(j) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2013 for the Kansas department for children and families as authorized by this or other appropriation act of the 2012 regular session of the legislature,

expenditures shall be made by the secretary for children and families for fiscal year 2013 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for children and families: *Provided*, That all moneys received by the Kansas department for children and families for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the social welfare fund.

(k) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 for the Kansas department for children and families as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2013 to develop and present a proposal for a program which would expand the Kansas foster child educational assistance program to allow attendance by eligible foster children at private colleges located in Kansas: *Provided*, That the secretary shall present such proposal to the house of representatives committee on appropriations and the senate committee on ways and means at the beginning of the 2013 legislative session.

(l) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds for fiscal year 2013, expenditures shall be made by the above agency for fiscal year 2013 from the state general fund or the child care/development block grant federal fund or any other special revenue fund or funds in an amount of not less than \$11,223,189 to provide funding for the early head start program.

Sec. 87.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Kansas guardianship program.....\$1,157,539

Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 88.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$11,004,144

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Special education services aid.....\$427,717,630

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures shall not be made from the special education

services aid account for the provision of instruction for any homebound or hospitalized child unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing proviso, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

General state aid.....\$1,957,322,270
Provided, That any unencumbered balance in the general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Supplemental general state aid.....\$339,212,000
Provided, That any unencumbered balance in the supplemental general state aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Discretionary grants.....\$322,457
Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2013, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grade: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance.....\$2,510,486
 School safety hotline.....\$10,000
 Mentor teacher program grants.....\$484,337
 Moving Expenses.....\$700,000
 Technical education transportation.....\$500,000
 Technical education promotion.....\$50,000
 KPERS – employer contributions.....\$332,095,628

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid.....\$110,000

School district juvenile detention facilities and Flint Hills job corps center grants.....\$6,012,355

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided further, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Provided further, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: And provided further, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund.....No limit
School district capital improvements fund.....No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

School district capital outlay state aid fund.....\$0
Conversion of materials and equipment fund.....No limit
State safety fund.....No limit
School bus safety fund.....No limit
Motorcycle safety fund.....No limit
Federal indirect cost reimbursement fund.....No limit
Teacher and administrator fee fund.....No limit
Food assistance – federal fund.....No limit
Education jobs fund – federal.....No limit
Food assistance – school breakfast program – federal fund.....No limit
Food assistance – national school lunch program – federal fund.....No limit
Food assistance – child and adult care food program – federal fund.....No limit
Elementary and secondary school aid – federal fund.....No limit
Elementary and secondary school aid – educationally deprived

children – federal fund.....	No limit
Educationally deprived children – state operations – federal fund.....	No limit
Elementary and secondary school – educationally deprived	
children – LEA's fund.....	No limit
ESEA chapter II – state operations – federal fund.....	No limit
Education of handicapped children fund – federal.....	No limit
Education of handicapped children fund – state operations –	
federal fund.....	No limit
Education of handicapped children fund – preschool – federal	
fund.....	No limit
Education of handicapped children fund – preschool state	
operations – federal.....	No limit
Elementary and secondary school aid – federal fund – migrant	
education fund.....	No limit
Elementary and secondary school aid – federal fund – migrant	
education – state operations.....	No limit
Vocational education amendments of 1968 – federal fund.....	No limit
Vocational education title II – federal fund.....	No limit
Vocational education title II – federal fund – state operations.....	No limit
Educational research grants and projects fund.....	No limit
Drug abuse fund – department of education – federal.....	No limit
Drug abuse funds – federal – state operations fund.....	No limit
Federal K-12 fiscal stabilization fund.....	No limit
Inservice education workshop fee fund.....	No limit
<i>Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: Provided further, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: And provided further, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: And provided further, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.</i>	
Private donations, gifts, grants and bequests fund.....	No limit
Interactive video fee fund.....	No limit
<i>Provided, That expenditures may be made from the interactive video fee fund for operating expenditures incurred in conjunction with the operation and use of the interactive video conference facility of the department of education: Provided further, That the state board of education is hereby authorized to fix, charge and collect fees for the operation and use of such interactive video conference facility: And provided further, That all fees received for the operation and use of such interactive video conference facility shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interactive video fee fund.</i>	
Reimbursement for services fund.....	No limit
Communities in schools program fund.....	No limit

Governor's teaching excellence scholarships program repayment fund.....No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: Provided further; That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: And provided further; That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: And provided further; That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Elementary and secondary school aid – federal fund – reading first.....No limit

Elementary and secondary school aid – federal fund – reading first – state operations.....No limit

State grants for improving teacher quality – federal fund.....No limit
State grants for improving teacher quality – federal fund –

state operations.....No limit
21st century community learning centers – federal fund.....No limit

State assessments – federal fund.....No limit
Rural and low-income schools program – federal fund.....No limit

Language assistance state grants – federal fund.....No limit
Service clearing fund.....No limit

Helping schools license plate program fund.....No limit
(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2013, the following:

Pre-K program.....\$4,799,812
Parent education program.....\$7,237,635

Provided, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount which is equal to not less than 65% of the grant.

(d) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund of the Kansas department for children and families to the communities in schools program fund of the department of education.

(e) On March 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: Provided, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: Provided further; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state

general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(f) On June 30, 2013, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$750,000 from the state safety fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the department of education by other state agencies which receive appropriations from the state general fund to provide such services.

(g) On July 1, 2012, and quarterly thereafter, the director of accounts and reports shall transfer \$73,259 from the state highway fund of the department of transportation to the school bus safety fund of the department of education.

(h) On July 1, 2012, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund of the department of education to the motorcycle safety fund of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to subsection (b)(2) of K.S.A. 8-272, and amendments thereto.

Sec. 89.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$1,575,755

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$941.

Grants to libraries and library systems.....\$3,101,865

Provided, That any unencumbered balance in the grants to libraries and library systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That, of the moneys appropriated in the grants to libraries and library systems account, \$1,480,465 shall be distributed as grants-in-aid to libraries in accordance with K.S.A. 75-2555, and amendments thereto, \$1,230,084 shall be distributed for interlibrary loan development grants and \$391,316 shall be paid according to contracts with the subregional libraries of the Kansas talking book services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund.....No limit

Federal library services and technology act – fund.....No limit
 Grants and gifts fund.....No limit
 Sec. 90.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$5,138,348

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped.....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Reserve fund.....No limit

Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund.....No limit

Special bequest fund.....No limit

Gift fund.....No limit

Technology lending library – federal fund.....No limit

Nine month payroll clearing fund.....No limit

Food assistance – cash for commodities – federal fund.....No limit

Food assistance – breakfast – federal fund.....No limit

Food assistance – lunch – federal fund.....No limit

Chapter I handicapped – federal fund.....No limit

Education improvement – federal fund.....No limit

Elementary and secondary education act – federal fund.....No limit

Special education assistance – ARRA – federal fund.....No limit

E-rate grant – federal fund.....No limit

Preparation and mentoring of teachers of the blind and visually impaired – federal fund.....No limit

Improve teacher quality grant – federal fund.....No limit

School breakfast program – federal fund.....No limit

Special education preschool grants – federal fund.....No limit

Sec. 91.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$8,600,122

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- General fees fund.....No limit
- Reserve fund.....No limit
- Local services reimbursement fund.....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts:

Provided further, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

- Student activity fees fund.....No limit
- Elementary and secondary education act – federal fund.....No limit
- Elementary and secondary education act 2009 ARRA – federal fund.....No limit
- Vocational education fund – federal.....No limit
- School lunch program – federal fund.....No limit
- Special bequest fund.....No limit
- Special workshop fund.....No limit
- Gift fund.....No limit
- Nine month payroll clearing fund.....No limit
- Special education state grants – federal fund.....No limit
- Special education state grants ARRA – federal fund.....No limit
- Special education preschool ARRA – federal fund.....No limit
- Improve teacher quality grant – federal fund.....No limit
- School breakfast program – federal fund.....No limit
- National school lunch program ARRA – federal fund.....No limit
- Special education preschool grants – federal fund.....No limit

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Operating expenditures.....\$4,734,199

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Kansas humanities council.....\$60,886

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Credit card clearing fund.....No limit
- Vehicle repair and replacement fund.....No limit
- General fees fund.....No limit
- Archeology fee fund.....No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

- Conversion of materials and equipment fund.....No limit
- Soil/water conservation fund.....No limit
- Microfilm fees fund.....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

- Records center fee fund.....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the records center fee fund.

- Historic properties fee fund.....No limit
- Historic preservation grants in aid fund.....No limit
- Historic preservation overhead fees fund.....No limit
- National historic preservation act fund – local.....No limit
- Private gifts, grants and bequests fund.....No limit
- Museum and historic sites visitor donation fund.....No limit
- Insurance collection replacement/reimbursement fund.....No limit
- Heritage trust fund.....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$94,548.

- Land survey fee fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2013 for operating expenditures that are not related to administering the land survey program.

- National trails fund.....No limit
- State historical society facilities fund.....No limit
- Historic properties fund.....No limit
- Law enforcement memorial fund.....No limit

Highway planning/construction fund.....No limit
 Save America's treasures fund.....No limit
 Property sale proceeds fund.....No limit
Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

Sec. 93.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$32,306,519

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Master's-level nursing capacity.....\$133,101

Kansas wetlands education center at Cheyenne bottoms.....\$262,155

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas academy of math and science.....\$728,011

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); Leader (newspaper); conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

- Education opportunity act – federal fund.....No limit
- Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Commencement fees fund.....No limit
- Health fees fund.....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

- Student union fees fund.....No limit

Provided, That expenditures may be made from the student union fee fund for official hospitality.

- Kansas career work study program fund.....No limit
- Economic opportunity act – federal fund.....No limit
- Kansas comprehensive grant fund.....No limit
- Faculty of distinction matching fund.....No limit
- Nine month payroll clearing account fund.....No limit
- Federal Perkins student loan fund.....No limit
- Housing system revenue fund.....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

- Institutional overhead fund.....No limit
- Oil and gas royalties fund.....No limit
- Housing system suspense fund.....No limit
- Housing system operations fund.....No limit
- Housing system repairs, equipment and improvement fund.....No limit
- Sponsored research overhead fund.....No limit
- Kansas distinguished scholarship fund.....No limit
- University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such

insurance: *Provided further*, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund to the federal Perkins student loan fund.

Sec. 94.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$102,538,863
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Midwest institute for comparative stem cell biology.....\$129,833
Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit
Faculty of distinction matching fund.....No limit
General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund.....No limit
Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; human resources management system; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees;

interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund.....No limit
 Service clearing fund.....No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund.....No limit

Housing system operations fund.....No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund.....No limit

Mandatory retirement annuity clearing fund.....No limit

Student health fees fund.....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund.....	No limit
Perkins student loan fund.....	No limit
Board of regents – U.S. department of education awards fund.....	No limit
State agricultural university fund.....	No limit
Federal extension civil service retirement clearing fund.....	No limit
Salina – student union fees fund.....	No limit
Salina – housing system operation fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Temporary deposit fund.....	No limit
Business procurement card clearing fund.....	No limit
Suspense fund.....	No limit
Voluntary tax shelter annuity clearing fund.....	No limit
Agency payroll deduction clearing fund.....	No limit
Payroll clearing fund.....	No limit
Pre-tax parking clearing fund.....	No limit
Salina student life center revenue fund.....	No limit
Child care facility revenue fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Johnson county education research triangle fund.....	No limit
Energy conservation improvements fund.....	No limit
Animal health research fund.....	No limit
National bio agro-defense facility fund.....	No limit

Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU.....	No limit
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(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund to the Perkins student loan fund.

Sec. 95.

**KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS**

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Cooperative extension service (including official hospitality).....	\$18,563,311
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013.

Agricultural experiment stations (including official hospitality).....\$29,694,858

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2013: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund.....No limit

Sponsored research overhead fund.....No limit

Provided, That expenditures may be made from this fund for official hospitality.

Federal extension fund.....No limit

Federal experimental station fund.....No limit

Federal awards – advance payment fund.....No limit

Smith-Lever special program grant – federal fund.....No limit

Faculty of distinction matching fund.....	No limit
Agricultural land use-value fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agricultural experiment stations.....	\$299,581
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(d) During the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for (1) any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age, or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 96.

KANSAS STATE UNIVERSITY VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....	\$9,854,049
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Operating enhancement.....	\$5,000,000
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Provided, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas.....	\$400,000
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Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....	No limit
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Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Veterinary medicine teaching hospital revenue fund.....	No limit
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Faculty of distinction matching fund.....	No limit
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Hospital and diagnostic laboratory improvement fund.....No limit
 Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Sponsored research overhead fund.....No limit
Provided, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund to the health professions student loan fund.

Sec. 97.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$30,794,530

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reading recovery program.....\$214,896

Nat'l Board Cert/Future Teacher Academy.....\$129,050

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Parking fees fund.....No limit
Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund fund.....No limit
Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; office supplies inventory; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; data processing center; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund.....No limit
Kansas career work study program fund.....No limit
Student health fees fund.....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching fund.....No limit

Bureau of educational measurements fund.....	No limit
National direct student loan fund.....	No limit
Economic opportunity act – work study – federal fund.....	No limit
Educational opportunity grants – federal fund.....	No limit
Basic opportunity grant program – federal fund.....	No limit
Research and institutional overhead fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas distinguished scholarship fund.....	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership federal fund.....No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund to the national direct student loan fund.

Sec. 98.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$33,587,377

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

School of construction.....\$748,806

Polymer science program.....\$500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund.....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund.....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Computer services; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund.....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Hospital and student health fees fund.....	No limit
<i>Provided</i> , That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: <i>Provided further</i> ; That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.	
Suspense fund.....	No limit
Faculty of distinction matching fund.....	No limit
Perkins student loan fund.....	No limit
Sponsored research overhead fund.....	No limit
College work study fund.....	No limit
Nursing student loan fund.....	No limit
Housing system suspense fund.....	No limit
Housing system operations fund.....	No limit
Housing system repairs, equipment and improvement fund.....	No limit
Kansas comprehensive grant fund.....	No limit
Kansas distinguished scholarship program fund	No limit
University federal fund.....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Perkins student loan fund; nursing student loan fund.

Sec. 99.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$131,031,704

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Geological survey.....\$5,883,407

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Umbilical cord matrix project.....\$130,900

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue fund.....No limit

Faculty of distinction matching fund.....No limit

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund.....No limit

Sponsored research overhead fund.....No limit

Law enforcement training center fund.....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund.....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Institute for policy and social research; technology equipment; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

- Service clearing fund.....No limit
 - Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.
 - Health service fund.....No limit
 - Kansas career work study program fund.....No limit
 - Student union fund.....No limit
 - Federal Perkins loan fund.....No limit
 - Health professions student loan fund.....No limit
 - Housing system suspense fund.....No limit
 - Housing system operations fund.....No limit
 - Housing system repairs, equipment and improvement fund.....No limit
 - Educational opportunity act – federal fund.....No limit
 - Loans for disadvantaged students fund.....No limit
 - Prepaid tuition fees clearing fund.....No limit
 - Kansas comprehensive grant fund.....No limit
 - Fire service training fund.....No limit
 - University federal fund.....No limit
 - Johnson county education research triangle fund.....No limit
 - Kan-grow engineering fund – KU.....No limit
 - Medical resident FICA recovery fund.....No limit
- (c) On July 1, 2012, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund to the following specified funds and accounts of funds: Federal Perkins student loan program account of the national direct student loan fund; federal supplemental educational opportunity program account of the national direct student loan fund; federal disadvantaged student loan program account of the national direct student loan fund; health professions student loan fund.

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Geological survey.....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the geological survey account is hereby reappropriated for fiscal year 2013.

Sec. 100.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$101,581,046

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans.....\$4,488,171

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund.....No limit

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate

medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund.....	No limit
Kansas breast cancer research fund.....	No limit
Sponsored research overhead fund.....	No limit
Parking fund – Wichita campus.....	No limit
Services to hospital authority fund.....	No limit
Direct medical education reimbursement fund.....	No limit
Service clearing fund.....	No limit
<i>Provided</i> , That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.	
Educational nurse faculty loan program fund.....	No limit
Federal college work study fund.....	No limit
AMA education and research grant fund.....	No limit
Federal health professions/primary care student loan fund.....	No limit
Federal nursing student loan fund.....	No limit
Suspense fund.....	No limit
Federal student educational opportunity grant fund.....	No limit
Federal Pell grant fund.....	No limit
Federal Perkins student loan fund.....	No limit
Medical loan repayment fund.....	No limit
<i>Provided</i> , That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.	
Medical student loan programs provider assessment fund.....	No limit
Graduate medical education administration reserve fund.....	No limit
University of Kansas medical center private practice	

foundation reserve fund.....	No limit
Robert Wood Johnson award fund.....	No limit
Federal scholarship for disadvantaged students fund.....	No limit
University federal fund.....	No limit
Leveraging educational assistance partnership federal fund.....	No limit
Graduate medical education support fund.....	No limit
Johnson county education research triangle fund	No limit
Cancer center research fund.....	No limit

(c) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund to the following funds: Federal Perkins student loan fund; federal nursing student loan fund; federal student education opportunity grant fund; federal college work study fund; educational nurse faculty loan program fund; federal health professions/primary care student loan fund.

(d) During the fiscal year ending June 30, 2013, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 101.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$65,056,930

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund.....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is

hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund.....No limit
Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunication; computer service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund.....No limit
 Kansas career work study program fund.....No limit
 Scholarship funds fund.....No limit
 Sponsored research overhead fund.....No limit
 Economic opportunity act – federal fund.....No limit
 Education opportunity grant – federal fund.....No limit
 Matching education opportunity grant fund.....No limit
 Health professions student assistance program – loans fund.....No limit
 Nine month payroll clearing account fund.....No limit
 Pell grants fund.....No limit
 Housing system suspense fund.....No limit
 Housing system operations fund.....No limit
 Housing system renovation principal and interest fund.....No limit
 Housing system renovation and bond reserve fund.....No limit
 WSU housing system depreciation and replacement fund.....No limit
 Perkins loan fund.....No limit
 Kansas distinguished scholarship fund.....No limit
 Kansas comprehensive grant fund.....No limit
 WSU housing systems revenue fund.....No limit
 University federal fund.....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance partnership – federal fund.....No limit
 Center of innovation for biomaterials in orthopaedic research – Wichita
 state university fund.....No limit
 Aviation research.....No limit

Kan-grow engineering fund – WSU.....No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Aviation infrastructure.....\$4,981,537

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That during the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 by Wichita state university by this or other appropriation act of the 2012 regular session of the legislature, the moneys appropriated in the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2013 may only be expended for training and equipment expenditures of the national center for aviation training.

(d) During the fiscal years ending June 30, 2012, and June 30, 2013, in addition to the other purposes for which expenditures may be made by Wichita state university from moneys appropriated from the state general fund or any special revenue fund for the above agency for fiscal year 2012 or fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas, or by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Wichita state university from the state general fund or from any special revenue fund or funds for fiscal year 2012 and fiscal year 2013, after consultation with the national institute for aviation research, to provide for the establishment of a technical training board: *Provided*, That, except as otherwise provided in this subsection (d), such board shall be similar in composition to the aviation research board and shall advise the president of Wichita state university, and others representing Wichita state university, on all expenditures from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013: *Provided further*, That such board shall review and evaluate all such expenditures: *And provided further*, That the executive director of the national institute for aviation research shall be the administrator for the technical training board: *And provided further*, That the membership of the technical training board shall include representatives of Sedgwick county and representatives of the Wichita area technical college as ex-officio, nonvoting members: *And provided further*, That the technical training board shall prepare and submit a report to the legislature, which shall be presented to the education budget committee of the house of representatives and to the appropriate subcommittee of the ways and means committee of the senate, not later than the first calendar day of the 2013 regular session of the legislature, detailing the findings of the technical training board regarding the expenditures by Wichita state university from the aviation infrastructure account of the state economic development initiatives fund for fiscal year 2012 and fiscal year 2013.

Sec. 102.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures (including official hospitality).....\$3,376,048

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2012, is hereby

reappropriated for fiscal year 2013: *Provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2013, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2013 by the state board of regents as authorized by this or other appropriation act of the 2012 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2013 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission.....\$95,000
 State scholarship program.....\$1,065,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program.....\$15,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Ethnic minority scholarship program.....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas work-study program.....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 *et seq.*, and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships.....\$175,335
Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Military service scholarships.....\$470,314
Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2011 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program.....\$1,846,320
Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

National guard educational assistance.....\$870,869
Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Vocational scholarships.....\$114,075
Provided, That any unencumbered balance in the vocational scholarships account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Nursing student scholarship program.....\$417,255
Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Optometry education program.....\$107,089
Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Municipal university operating grant.....\$11,130,920
 Adult basic education.....\$1,457,031
 Postsecondary tiered technical education state aid.....\$54,943,658

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2013, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2012, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2013 and the amount of moneys appropriated for the above agency fiscal year 2012 shall be distributed based on each eligible institution's calculated gap,

according to the postsecondary tiered technical education state aid act, K.S.A. 2011 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2013 that is less than the amount such eligible institution received from such account in fiscal year 2012, unless the amount of moneys appropriated for the above agency 2012 in the postsecondary tiered technical education state aid account for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2013 is less than the amount of moneys appropriated for the above agency for fiscal year 2012 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant.....\$79,853,632
 Technology equipment at community colleges and Washburn university.....\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid.....\$71,585
 Payment to KPERS.....\$1,750,905
 Tuition waivers.....\$84,657
 Nurse educator grant program.....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program.....\$1,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary education institutions from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nurse faculty and supplies grant program account for \$1 from the state educational institution receiving the grant: *And provided further*, That not less than \$94,064 in such grants shall be made to accredited private postsecondary educational institutions in Kansas.

Postsecondary technical education authority.....\$681,785

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the postsecondary technical education authority account for fiscal year 2013, expenditures shall be made by the above agency from the postsecondary technical education authority account for fiscal year 2013 to develop a

report on the participation in technical education courses that lead to high-wage, high-demand technical occupations and result in Kansas board of regents approved industry credentials: *Provided further*, That such report shall be made available to the house of representatives committee on appropriations and the senate committee on ways and means no later than the first day of the 2013 regular legislative session.

Southwest Kansas access project.....\$243,000

Provided, That any unencumbered balance in the Southwest Kansas access project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund.....No limit

Vocational education scholarship discontinued attendance fund.....No limit

Regents' scholarship gift fund.....No limit

Provided, That expenditures may be made from the regents' scholarship gift fund for scholarships awarded to Kansas residents who are attending institutions of postsecondary education in Kansas which are authorized under the laws of this state to award academic degrees and who meet academic and other eligibility criteria established by the state board of regents by rules and regulations: *Provided, however*; That a financial needs test shall not be one of the eligibility criteria established by the state board of regents for such scholarships: *Provided further*; That no scholarship awarded from this fund shall exceed \$2,000 per academic year: *And provided further*; That any recipient of a scholarship awarded from this fund may also receive either a state scholarship under K.S.A. 72-6810 through 72-6816, and amendments thereto, or a tuition grant under K.S.A. 72-6107 through 72-6111, and amendments thereto, or both: *And provided further*; That there shall be no reduction of any scholarship awarded from this fund for the amount of any such state scholarship or tuition grant received.

KAN-ED fund.....No limit

Provided, That expenditures may be made from the KAN-ED fund for official hospitality for the purposes of the KAN-ED act.

Health profession opportunity grant – federal.....No limit

Rigorous program of study – federal.....No limit

Earned indirect costs fund – federal.....No limit

Faculty of distinction program fund.....No limit

Paul Douglas teacher scholarship fund – federal.....No limit

GED credentials processing fees fund.....No limit

Proprietary school fee fund.....No limit

Provided, That expenditures may be made from the proprietary school fee fund for official hospitality.

Tuition waiver gifts, grants and reimbursements fund.....No limit

Adult basic education – federal fund.....No limit

Truck driver training fund.....No limit

No child left behind federal fund.....No limit

Comprehensive grant program discontinued attendance fund.....No limit

State scholarship discontinued attendance fund.....No limit

Kansas ethnic minority fellowship program fund.....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund.....	No limit
Substance abuse education fund – federal.....	No limit
Nursing service scholarship program fund.....	No limit
Clearing fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Teacher scholarship program fund.....	No limit
Motorcycle safety fund.....	No limit
Financial aid services fee fund.....	No limit
<i>Provided</i> , That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: <i>Provided further</i> , That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: <i>And provided further</i> , That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.	
Inservice education workshop fee fund.....	No limit
Optometry education repayment fund.....	No limit
Teacher scholarship repayment fund.....	No limit
Advanced registered nurse practitioner service scholarship program fund.....	No limit
Nursing service scholarship repayment fund.....	No limit
Nurse educator service scholarship repayment fund.....	No limit
ROTC service scholarship program fund.....	No limit
ROTC service scholarship repayment fund.....	No limit
Carl D. Perkins vocational and technical education – federal fund.....	No limit
College access challenge grant program.....	No limit
Kansas national guard educational assistance program repayment fund.....	No limit
Carl D. Perkins technical preparation – federal fund.....	No limit
Grants fund.....	No limit
Workforce development loan fund.....	No limit
Regents clearing fund.....	No limit
Private and out-of-state postsecondary educational institution fee fund.....	No limit
Statewide data systems ARRA – unifying data systems to support systemic changes fund.....	No limit
Distance learning/telemedicine federal grant.....	No limit
Statewide data systems federal fund.....	No limit
USAC E-rate program federal fund.....	No limit
WIA youth activities federal fund.....	No limit
WIA adult set-aside federal fund.....	No limit

- WIA dislocated workers set-aside federal fund.....No limit
- Incentive for technical education fund.....No limit
- Tuition for technical education fund.....No limit

(c) During the fiscal year ending June 30, 2013, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2013, to another item of appropriation in an account of the state general fund for fiscal year 2013. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university; and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for such state educational institution as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2013: *Provided, however*; That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*; That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*; That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*; That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal or greater than the cost of debt service on such bonds: *And*

provided further, That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2013 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

SEDIF – vocational education capital outlay aid.....\$2,547,726

Provided, That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant: *Provided further*, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2013.

SEDIF – technology innovation and internship program.....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2012, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2013.

SEDIF – EPSCOR.....\$993,265

Community and technical college competitive grants.....\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) During the fiscal year ending June 30, 2013, notwithstanding any provisions of subsection (f) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsection existed prior to June 30, 2009, to the contrary, the amount of \$3,749,909 shall be certified before July 1, 2013, by the chief executive officer of the state board of regents to the administrator of the KUSF and the administrator of the KUSF shall pay such amount from the Kansas universal service fund of the state corporation commission to the KAN-ED fund of the state board of regents during the fiscal year 2013 in accordance with the provisions of subsections (f)(1) and (f)(2) of K.S.A. 2011 Supp. 66-2010, and amendments thereto, as such subsections existed prior to June 30, 2009.

Sec. 103.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures\$24,360,048

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections.....\$17,583,912

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013:

Provided, however; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2013 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments.....\$347,060

Provided, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under subsection (b) of K.S.A. 19-1930, and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs.....\$49,784,426

Provided, That any unencumbered balance in the treatment and programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Topeka correctional facility – facilities operations.....\$13,447,541

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities operations.....\$29,867,666

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities operations.....\$38,757,256

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities operations.....\$12,992,683

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities operations.....\$12,424,217

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however;* That expenditures from the

Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations.....\$14,966,808

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations.....\$23,946,444

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations.....\$10,133,075

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Facilities operations.....\$13,761,662

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Labette facility operations.....\$2,200,000

Any unencumbered balance in excess of \$100 as of June 30, 2012, in each of the following accounts is hereby reappropriated for fiscal year 2013: Department of corrections forensic psychologist fund.

Any unencumbered balance in the DUI treatment services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for the fiscal year 2013: *Provided further*; That expenditures may be made from the DUI treatment services account for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal flexible fiscal stabilization fund.....	No limit
Supervision fees fund.....	No limit
Residential substance abuse treatment – federal fund.....	No limit
Department of corrections forensic psychologist fund.....	No limit
Victim assistance fund.....	No limit
Ed Byrne memorial justice assistance grants – federal fund.....	No limit
Violence against women – federal fund.....	No limit
Sex offender management grant – federal fund.....	No limit
Recovery act justice assistance – federal fund.....	No limit
Department of corrections state asset forfeiture fund.....	No limit

Chapter I – federal fund.....	No limit
Victims of crime act – federal fund	No limit
Correctional industries fund.....	No limit
<i>Provided</i> , That expenditures may be made from the correctional industries fund for official hospitality.	
Ed Byrne state and local law assistance – federal fund.....	No limit
Safeguard community grants – federal fund.....	No limit
Workforce investment act – federal fund.....	No limit
Workplace and community transition training – federal fund.....	No limit
USMS reimbursement – federal fund.....	No limit
Corrections training and staff development – federal fund.....	No limit
Second chance act – federal fund.....	No limit
Alcohol and drug abuse treatment fund.....	No limit
<i>Provided</i> , That expenditures may be made from the alcohol and drug abuse fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.	
State of Kansas – department of corrections inmate benefit fund.....	No limit
Department of corrections – alien incarceration grant fund – federal.....	No limit
Department of corrections – general fees fund.....	No limit
<i>Provided</i> , That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: <i>Provided further</i> ; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: <i>And provided further</i> ; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: <i>And provided further</i> ; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.	
JEHT reentry program fund.....	No limit
Sedgwick county program fund.....	No limit
Topeka correctional facility – community development block grant – federal fund.....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund.....	No limit
Topeka correctional facility – general fees fund.....	No limit
Topeka correctional facility – laundry equipment depreciation reserve fund.....	No limit
Hutchinson correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Hutchinson correctional facility.....	No limit
Lansing correctional facility – general fees fund.....	No limit
Ellsworth correctional facility – general fees fund.....	No limit
Winfield correctional facility – general fees fund.....	No limit
Federal flexible fiscal stabilization fund – Winfield correctional facility.....	No limit
Norton correctional facility – general fees fund.....	No limit

Federal flexible fiscal stabilization fund – Norton correctional facility.....	No limit
El Dorado correctional facility – general fees fund.....	No limit
Larned correctional mental health facility – general fees fund.....	No limit
Correctional services special revenue fund.....	No limit
Community corrections supervision fund.....	No limit
Community corrections special revenue fund.....	No limit

(c) During the fiscal year ending June 30, 2013, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2013 from the state general fund for the department of corrections or any correctional institution or facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account of the state general fund during fiscal year 2013 for costs pursuant to subsection (b) of K.S.A. 19-1930, and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund during fiscal year 2013 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2012, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2013.

(f) On July 1, 2012, October 1, 2012, January 1, 2013, and April 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$233,750 from the correctional industries fund to the department of corrections – general fees fund.

(g) During the fiscal year ending June 30, 2013, all expenditures made by the department of corrections from the correctional industries fund shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and additions grant fund of the Kansas department for aging and disability services to the community corrections special revenue fund of the department of corrections.

Sec. 104.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,420,954

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Management information systems.....\$844,087

Provided, That any unencumbered balance in the management information systems account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas juvenile correctional complex facility operations.....\$16,945,460

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

Larned juvenile correctional facility operations.....\$8,719,451

Provided, That any unencumbered balance in the Larned juvenile correctional facility operations account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Purchase of services.....\$23,524,240

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Prevention and graduated sanctions community grants.....\$21,383,874

Provided, That any unencumbered balance in the intervention and graduated sanctions community grants account in excess of \$100 as of June 30, 2012, are hereby reappropriated to the prevention and graduated sanctions community grants account for fiscal year 2013: *Provided further*; That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Medical assistance program – federal fund.....No limit

Title IV-E fund.....	No limit
Juvenile accountability incentive block grant – federal fund.....	No limit
Juvenile justice delinquency prevention – federal fund.....	No limit
Juvenile detention facilities fund.....	No limit
Juvenile justice fee fund – central office.....	No limit
Juvenile justice federal fund – Larned juvenile correctional facility.....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex.....	No limit
Juvenile justice federal fund.....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex.....	No limit
Kansas juvenile delinquency prevention trust fund.....	No limit
Byrne grant – federal fund.....	No limit
Prisoner reentry initiative demonstration – federal fund.....	No limit
Comprehensive approaches to sex offender management discretionary grant – federal fund.....	No limit
Part E – developing, testing, and demonstrating promising new programs – federal fund.....	No limit
Title V – delinquency prevention program – federal fund.....	No limit
Block grants for prevention and treatment of substance abuse – federal fund.....	No limit
Promoting safe and stable families – federal fund.....	No limit
Title I program for neglected and delinquent children – federal fund.....	No limit
Improving teacher quality state grants – federal fund.....	No limit
Kansas juvenile correctional complex – juvenile accountability block grant – federal fund.....	No limit
Workforce investment act – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex.....	No limit
National school lunch program – federal fund – Larned juvenile correctional facility.....	No limit
Atchison youth residential center fee fund.....	No limit
Larned juvenile correctional facility fee fund.....	No limit
Larned juvenile correctional facility – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Larned juvenile correctional facility.....	No limit
Dev/test/demo new prgs – Larned juvenile correctional facility – federal fund.....	No limit
Kansas juvenile correctional complex fee fund.....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund.....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex.....	No limit

Kansas juvenile correctional complex – gifts, grants, and donations fund.....No limit
 Dev/test/demo new prgs – Kansas juvenile correctional complex – federal fund.....No limit
 Comprehensive approach to sex offender management discretionary grant – Kansas juvenile correctional complex – federal fund.....No limit

(c) During the fiscal year ending June 30, 2013, the commissioner of juvenile justice, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2013, from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to another item of appropriation for fiscal year 2013 from the state general fund for the juvenile justice authority or any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice. The commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the juvenile justice authority from the juvenile detention facilities fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the juvenile justice authority is hereby authorized and directed to make expenditures from the juvenile detention facilities fund for fiscal year 2013 for purchase of services.

Sec. 105.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$4,587,104
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.
 Disaster relief.....\$6,028,703
Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Incident management team.....\$16,202
Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Civil air patrol – operating expenditures.....\$34,507
 Military activation payments.....\$15,807
Provided, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2011 Supp. 75-3228, and amendments thereto: *Provided further*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.
 Kansas military emergency relief\$9,881
Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered

into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conversion of materials and equipment fund – military division.....	No limit
Adjutant general expense fund.....	No limit
State asset forfeiture fund.....	No limit
Emergency management – federal fund matching – administration	
fund.....	No limit
State emergency fund.....	No limit
State emergency fund weather disasters 5/4/2007.....	No limit
State emergency fund weather disasters 12/06, 7/07.....	No limit
Disaster reimbursement fund.....	No limit
Disaster grants – public assistance federal fund.....	No limit
National guard military operations/maintenance federal fund	No limit
Intra-agency hazardous mitigation trn/pl federal fund.....	No limit
Econ adjustment/military installation federal fund.....	No limit
Public safety partnership/community policing federal fund.....	No limit
Disaster assistance to individual/household federal fund.....	No limit
Interoperability communication equipment fund.....	No limit
Homeland security FFY05 int federal fund.....	No limit
State homeland security program federal fund.....	No limit
Nuclear safety emergency management fee fund.....	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2013 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 *et seq.*, and amendments thereto.

Military fees fund – federal.....No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund.....	No limit
Emergency systems for advanced registration for volunteer health professionals – federal fund.....	No limit
Civil air patrol – grants and contributions – federal fund.....	No limit
Emergency management performance grant – federal fund.....	No limit
NG – federal forfeiture fund.....	No limit
Inaugural expense fund.....	No limit
Kansas military emergency relief fund.....	No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund.....	No limit
Public safety interoperable communications grant program federal fund.....	No limit
Military construction national guard federal fund.....	No limit
National guard civilian youth opportunities federal fund.....	No limit
Hazard mitigation grant federal fund.....	No limit
Citizen corps federal fund.....	No limit
Law enforcement terrorism prevention program federal fund.....	No limit
Safe and drug-free schools and communities national programs federal fund.....	No limit
National guard museum assistance fund.....	No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center fee fund.....	No limit
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Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training

center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2013 made by this or other appropriation act of the 2012 regular session of the legislature.

Sec. 106.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund.....	\$3,620,954
<i>Provided</i> , That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$500.	
Gifts, grants and donations fund.....	No limit
Hazardous material program fund.....	\$373,962
Intragovernmental service fund.....	No limit
State fire marshal liquefied petroleum gas fee fund.....	\$189,297
Hazardous materials emergency fund.....	\$250,000

Provided, That expenditures may be made by the state fire marshal from the hazardous materials emergency fund for fiscal year 2013 for the purposes of responding to specific incidences of emergencies related to hazardous materials without prior approval of the state finance council: *Provided, however*, That expenditures from the hazardous materials emergency fund during fiscal year 2013 for the purposes of responding to any specific incidence of an emergency related to hazardous materials

without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except that such approval also may be given while the legislature is in session.

- Fire safety standard and firefighter protection act enforcement fund.....No limit
- Cigarette fire safety standard and firefighter protection act fund.....No limit
- Non-fuel flammable or combustible liquid aboveground storage tank system fund.....No limit
- Homeland security grant – federal fund.....No limit

(b) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$186,981 from the fire marshal fee fund of the state fire marshal to the hazardous material program fund of the state fire marshal.

(c) During the fiscal year ending June 30, 2013, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund to the hazardous materials emergency fund of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2013, shall not exceed \$50,000.

(d) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the hazardous materials emergency fund to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund during the fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2012 are insufficient to meet in full the estimated expenditures for fiscal year 2013 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash

flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2013: *Provided*, That the aggregate amount of such transfers during fiscal year 2013 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection is transmitted to the director of accounts and reports during fiscal year 2012, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 107.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....	No limit
<i>Provided</i> , That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.	
For patrol of Kansas turnpike fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
Highway patrol motor vehicle fund.....	No limit
Department of justice – federal recovery act – Edward J. Byrne	
memorial justice assistance grant program – federal fund.....	No limit
Kansas highway patrol state forfeiture fund.....	No limit
Disaster grants – public assistance – federal fund.....	No limit
Edward Byrne memorial assistance grant – state and local	
law enforcement – federal fund.....	No limit
Bulletproof vest partner – federal fund.....	No limit
Performance registration information system management –	
federal fund.....	No limit
Commercial vehicle information system network – federal fund.....	
Highway planning and construction – federal fund.....	No limit
Public safety interoperability grant – federal fund.....	No limit
Citizen corps – federal fund.....	No limit
Emergency management performance grants – federal fund.....	No limit

Safety data improvement project – federal fund.....	No limit
Interoperability communication equipment – federal fund.....	No limit
Edward Byrne memorial assistance grant – federal fund –	
federal American recovery and reinvestment act.....	No limit
Cops grant – federal fund.....	No limit
KHP federal forfeiture – federal fund.....	No limit
Law enforcement terrorism prevention – federal fund.....	No limit
High intensity drug trafficking areas – federal fund.....	No limit
State domestic preparedness equipment sprt – federal fund.....	No limit
Metro med response system – federal fund.....	No limit
Homeland security program – federal fund.....	No limit
Buffer zone protection program – federal fund.....	No limit
Rural law enforcement assistance grant – federal fund –	
federal American recovery and reinvestment act.....	No limit
Edward Byrne memorial justice assistance grant – federal fund.....	No limit
Emergency ops cntr – federal fund.....	No limit
State and community highway safety – federal fund.....	No limit
Gifts and donations fund.....	No limit
<i>Provided</i> , That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.	
Motor carrier safety assistance program state fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
National motor carrier safety assistance program – federal fund.....	No limit
<i>Provided</i> , That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.	
Aircraft fund – on budget.....	No limit
Highway safety fund.....	No limit
Capitol area security fund.....	No limit
Vehicle identification number fee fund.....	No limit
Motor vehicle fuel and storeroom sales fund.....	No limit
<i>Provided</i> , That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: <i>Provided further</i> , That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: <i>And provided further</i> , That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.	
Kansas highway patrol operations fund.....	\$53,249,854
<i>Provided</i> , That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: <i>Provided further</i> , That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian	

clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund of not more than \$627,766 for the purpose of paying the overtime and holiday compensation to highway patrol officers and troopers who have accumulated such overtime and holiday pay that remained unpaid: *And provided further*; That such payment shall be made during fiscal year 2013: *And provided further*; That, of the \$627,766 for such compensation payment purpose, any amount not expended or encumbered during fiscal year 2013 for such purpose shall be lapsed on July 1, 2013.

Highway patrol training center fund.....No limit
Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*; That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund.....No limit
Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*; That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*; That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund.....No limit
 (b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund of the state corporation commission to the motor carrier safety assistance program state fund

of the Kansas highway patrol.

(d) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, the director of accounts and reports shall transfer \$26,293,380.50 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$287,000 from the state highway fund of the department of transportation to the highway safety fund of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2012, and January 1, 2013, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund of the Kansas highway patrol to the aircraft fund – on budget of the Kansas highway patrol.

(h) On July 1, 2012, the director of accounts and reports shall transfer \$627,766 from the state general fund to the Kansas highway patrol operations fund of the Kansas highway patrol.

Sec. 108.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$15,546,134

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup.....\$450,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund.....No limit
Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund.....No limit
Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund.....No limit
 Federal grants – marijuana eradication – federal fund.....No limit
 Criminal justice information system line fund.....\$751,740
 DNA database fund.....No limit
 Kansas bureau of investigation motor vehicle fund.....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund.....No limit
Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by subsection (e) of K.S.A. 28-176, and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to subsection (a) of K.S.A. 28-176, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund.....No limit
Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is

hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter *Provided*, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund.....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

- Intergovernmental service fund.....No limit
- Agency motor pool fund.....No limit
- National criminal history improvement program federal fund.....No limit
- Public safety partnership and community policing federal fund.....No limit
- Forensic DNA backlog reduction federal fund.....No limit
- Coverdell forensic sciences improvement federal fund.....No limit
- Anti-gang initiative federal fund.....No limit
- Homeland security federal fund.....No limit
- State homeland security program federal fund.....No limit
- Convicted/arrestee DNA backlog reduction federal fund.....No limit
- Disaster grants – public assistance federal fund.....No limit
- Ed Byrne memorial justice assistance federal fund.....No limit
- Ed Byrne state/local law enforcement federal fund.....No limit
- Violence against women – ARRA federal fund.....No limit

AWA implementation grant program federal fund.....	No limit
Ed Byrne memorial JAG – ARRA federal fund.....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund.....	No limit
KBI-FBI reimbursement federal fund.....	No limit
Project safe neighborhoods fund.....	No limit
Social security administration reimbursement – federal fund.....	No limit

Sec. 109.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options grant fund.....	No limit
Rural access to emergency devices grant – federal fund.....	No limit
Emergency medical services operating fund.....	\$1,343,842

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant payment fund.....	No limit
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Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund.....	No limit
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Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

National bioterrorism hospital preparedness – federal fund.....	No limit
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Highway safety – federal fund.....	No limit
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(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the board of emergency medical services

operating fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2013 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013, as authorized by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund for the emergency medical services board for fiscal year 2013 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in the EMS region are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to such EMS region for the operation of the education and training of emergency medical attendants in such EMS region.

(d) On July 1, 2012, and January 1, 2013, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund to the educational incentive grant payment fund of the emergency medical services board.

(e) During the fiscal year ending June 30, 2013, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2013 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2013 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and

transfers from the emergency medical services operating fund for the remainder of fiscal year 2013 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2013, if any EMS regional council enters into a grant agreement with the emergency medical service board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2013.

Sec. 110.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$681,549

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Substance abuse treatment programs.....\$6,338,396

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund.....No limit

Statistical analysis – federal fund.....No limit

Drug abuse fund – federal.....No limit

Sec. 111.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund.....\$560,000

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for the fiscal year ending June 30, 2013, for official hospitality shall not exceed \$500.

Local law enforcement training reimbursement fund.....No limit

Sec. 112.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$10,283,733

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated to the operating expenditures account for fiscal year 2013: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund.....	No limit
Meat and poultry inspection fee fund.....	No limit
Wheat quality survey fund.....	No limit
Plant protection fee fund.....	No limit
Laboratory equipment fund.....	No limit
Water structures – state highway fund.....	\$114,415
Soil amendment fee fund.....	No limit
Agricultural liming materials fee fund.....	No limit
Weights and measures fee fund.....	No limit
Water appropriation certification fund.....	No limit
Water resources cost fund.....	No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2011 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee fund.....	No limit
Chemigation fee fund.....	No limit
Agriculture statistics fund.....	No limit
Petroleum inspection fee fund.....	No limit
Water transfer hearing fund.....	No limit
Grain commodity commission services fund.....	No limit
Kansas agricultural remediation fund.....	No limit
Warehouse fee fund.....	No limit
U.S. geological survey cooperative gauge agreement grants fund.....	No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*; That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Computer services fund.....	No limit
Agricultural chemical fee fund.....	No limit
Feeding stuffs fee fund.....	No limit
Fertilizer fee fund.....	No limit
Plant pest emergency response fund.....	No limit

Pesticide use fee fund.....	No limit
Geographic information system fee fund.....	No limit
Egg fee fund.....	No limit
Water structures fund.....	\$112,176
Meat and poultry inspection fund – federal.....	No limit
EPA pesticide performance partnership grant – federal fund.....	No limit
FEMA dam safety – federal fund.....	No limit
FEMA – hazard mitigation map federal fund.....	No limit
FEMA stream mapping – federal fund.....	No limit
Pest detection and survey – federal fund.....	No limit
State trade and export promotion – federal fund.....	No limit
FDA tissue residue – federal fund.....	No limit
Conversion of materials and equipment fund.....	No limit
Trademark fund.....	No limit
Market development fund.....	No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund.....	No limit
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Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund.....	No limit
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Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund.....	No limit
Targeted watershed grants – federal fund.....	No limit
Agency motor pool fund.....	No limit
Land reclamation fee fund.....	No limit
Animal health protection fund.....	No limit
Animal donation fund.....	No limit
Livestock and pseudorabies indemnity fund.....	No limit
County option brand fee fund.....	No limit
Livestock brand emergency revolving fund.....	No limit
Livestock brand fee fund.....	No limit

Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund.....	No limit
Veterinary inspection fee fund.....	No limit
Animal dealers fee fund.....	No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the

animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fundNo limit
Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Meat poultry egg production inspection – federal fund.....No limit
Market protection promotion – federal fund.....No limit
Health and human services retail food audit – federal fundNo limit
USDA cooperative – federal fund.....No limit
Specialty crop block grant – federal fund.....No limit
Publications fee fund.....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund.....No limit
USDA national agricultural statistics services – federal fund.....No limit
FDA food protection conference grant – federal fund.....No limit
Retail food good manufacturing practice management – federal fund.....No limit
Medicated feed and FDA BSE inspection – federal fund.....No limit
National floodplain insurance assistance (CAP) – federal fund.....No limit
Environmental quality incentive program – federal fundNo limit
Disease control fund – federal.....No limit
National dam safety program – federal fund.....No limit
Cooperating technical partners – federal fund.....No limit
Plant and animal disease & pest control – federal fund.....No limit
Country of origin labeling (COOL) – federal fund.....No limit
USDA Kansas forestry service – federal fund.....No limit
USDA pesticide recordkeeping – federal fund.....No limit
Civil litigation fee fund.....No limit

Provided, That the above agency is authorized to make expenditures from the civil litigation fee fund for costs or other expenses associated with investigation and

litigation regarding fraudulent meat sales: *Provided further*, That a portion of the moneys received by the state from fines and other moneys collected as a result of the settlement of fraudulent meat sales cases, as determined by the secretary of agriculture and the attorney general, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the civil litigation fee fund.

Food safety fee fund.....No limit
Gifts and donations fund.....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees in order to recover all or part of the costs incurred for such regulatory program activities and for official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for the regulatory program activity or official hospitality for which such fees are imposed: *And provided further*, That all amounts received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Lodging fee fund.....No limit
Watershed protect approach/WTR RSRCE MGT fund.....No limit
NRCS contribution agreement farm bill – federal fund.....No limit
Licensing online transition fund.....No limit

Provided, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2013.

Grain warehouse inspection fund.....No limit

Provided, That during the fiscal year ending June 30, 2013, the above agency shall make every effort to ensure services performed in the grain warehouse inspection program will not be compromised by budget reductions for the fiscal year ending June 30, 2013.

Feral swine eradication fund.....No limit
Livestock market reporting fund.....No limit
Compliance education fee fund.....\$250,000

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2013, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided*

further, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services fee fund.....No limit

Provided, That all expenditures from the laboratory testing services fee fund shall be for the purposes of providing laboratory testing of samples upon request: *Provided further*, That the secretary of agriculture is hereby authorized to fix, charge and collect fees for such laboratory testing: *And provided further*, That such fees shall be fixed in order to recover all or part of the costs incurred to provide the services and any other necessary and incidental expenses incurred in conjunction with such laboratory testing: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the laboratory testing services fee fund.

Arkansas river gaging fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the water plan project or projects specified, the following:

Water resources cost share.....\$2,008,700

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2013 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2012 for the water resources cost share account.

Nonpoint source pollution assistance.....\$2,008,691

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Conservation district aid.....\$2,260,000

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Watershed dam construction.....\$625,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Lake restoration.....\$190,000

Provided, That any unencumbered balance in the lake restoration account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Kansas water quality buffer initiatives.....\$270,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best

management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2013 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program.....\$165,000
Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Basin management.....\$667,551
Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water use.....\$60,000
Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Interstate water issues.....\$481,511
Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water transition assistance program/conservation reserve enhancement program.....\$672,281

Provided, That any unencumbered balance in the water transition assistance program/conservation reserve enhancement program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That, in addition, fiscal year 2013 expenditures, from the water transition assistance program/conservation reserve enhancement program account, are authorized to be made by the division of conservation of the Kansas department of agriculture for the conservation reserve enhancement program: *And provided further*, That all expenditures under the water transition assistance program/conservation reserve enhancement program, referred to as CREP in this subsection, are subject to the following criteria: (1) The total number of acres enrolled in Kansas in CREP for the six fiscal years 2008, 2009, 2010, 2011, 2012, and 2013 shall not exceed 40,000 acres; (2) the number of acres eligible for enrollment in CREP in Kansas shall be limited to one-half of the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area, except that if federal law permits the land enrolled in the CREP program to be used for agricultural purposes such as planting of agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses, legumes or other cover crops then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the CREP area; (3) lands enrolled in the conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP; (4) no more than 25% of the acreage in CREP may be in any one county; (5) no water right that is owned by a governmental entity, except a groundwater management district, shall be purchased or retired by the state or federal government pursuant to CREP; and (6) only water rights in good standing are eligible for inclusion under CREP: *And provided further*, That to be a water right in good standing the following criteria must be met: (A) At least 50% of the maximum annual quantity authorized to be diverted under the water right has been used in any three years from

2001 through 2005; (B) in the years 2001 through 2005 the water rights used for the acreage in CREP shall not have exceeded the maximum annual quantity authorized to be diverted and shall not have been the subject of enforcement sanctions by the division of water resources in the last four years; and (C) the water right holder has submitted the required annual water use report required by K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years; *And provided further*, That the Kansas department of agriculture shall submit a CREP report to the senate committee on natural resources and the house committee on agriculture and natural resources at the beginning of the 2013 regular session of the legislature which shall contain a description of program activities and shall include: (i) The total water rights, measured in acre feet, retired in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (ii) the acreage enrolled in CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iii) the dollar amounts received and expended for CREP during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and in fiscal year 2013, to date, (iv) the economic impact of the CREP, (v) the change in groundwater levels in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vi) the annual amount of water usage in the CREP area during fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2011, fiscal year 2012, and fiscal year 2013, to date, (vii) an assessment of meeting each of the program objectives identified in the agreement with the farm service agency, and (viii) such other information as the Kansas department of agriculture shall specify.

(d) During the fiscal year ending June 30, 2013, the secretary of agriculture, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2012, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$112,234 from the state highway fund of the department of transportation to the water structures – state highway fund of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Agriculture marketing program.....\$627,530

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 113.

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund.....No limit
Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

State fair federal transfer fund.....No limit
State fair special cash fund.....No limit
State fair debt service special revenue fund.....No limit

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

State fair debt service.....\$854,331

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Enhanced marketing promotion.....\$25,000

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state economic development initiatives fund to the state fair capital improvements fund of the state fair board.

Sec. 114.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Water resources operating expenditures.....\$1,322,371

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$250.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund.....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both for water projects.

Water supply storage assurance fund.....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2013, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

Water supply storage acquisition fund.....No limit

Provided, That, on July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of any other statute, the director of accounts and reports shall transfer \$120 from the water supply storage acquisition fund to the state general fund.

- State conservation storage water supply fund.....No limit
- Water marketing fund.....No limit
- EPA wetland grant – federal fund.....No limit
- General fees fund.....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

- Indirect cost fund.....No limit
- Motor pool vehicle replacement fund.....No limit
- Reservoir storage beneficial use fund.....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

- Arkansas river water conservation projects fund.....No limit
- Republican river water conservation projects – Nebraska moneys fund.....No limit
- Republican river water conservation projects – Colorado moneys fund.....No limit
- Lower Smoky Hill water supply access fund.....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2013, for the state water plan project or projects specified, the following:

- Assessment and evaluation.....\$540,000

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- GIS data base development.....\$170,000

Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- MOU – storage operations and maintenance.....\$360,364

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Stream gaging.....\$448,663

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

- Suspended sediment monitoring.....\$100,000

Provided, That any unencumbered balance in the suspended sediment monitoring

account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Technical assistance to water users.....\$413,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Water resource education.....\$40,000

Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Weather modification program.....\$200,000

Provided, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided further*, That any unencumbered balance in the weather modification program account in excess of \$100 as of June 30, 2011, is hereby reappropriated for fiscal year 2012: *And provided further*, That, during fiscal year 2013, the above agency shall be authorized to expend no more than \$20,000 for each county that enrolls in the weather modification program: *And provided further*, That, during fiscal year 2013, no more than ten counties may enroll in the weather modification program: *Provided, however*, That, if less than ten counties enroll in the weather modification program during fiscal year 2013, then \$20,000 for each county less than ten, is hereby lapsed.

Any unencumbered balance in each of the following accounts in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: Neosho river basin issues.

(d) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Wichita aquifer storage and recovery project.....\$500,000

Provided, That any unencumbered balance in the Wichita aquifer recovery project account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(e) During the fiscal year ending June 30, 2013, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2013 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient

amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2013, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2013, from the water marketing fund to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 *et seq.*, and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general

fund or from any special revenue fund or funds for fiscal year 2013, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

Sec. 115.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) Any unencumbered balance in the state parks operating expenditures account of the state general fund in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, the following:

Operating expenditures.....\$3,446,884

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2013, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2013 to include a provision on the calendar year 2013 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures.....\$2,300,871

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Travel and tourism operating expenditures.....\$1,858,634

Provided, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Reimbursement for annual licenses issued to national guard members.....\$36,342

Provided, That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses: *Provided, however*; That no other hunting or fishing licenses or permits shall

be eligible to be paid from this account: *Provided further*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual park permits issued to national guard members.....\$17,922

Provided, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2013 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided, however*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account: *Provided further*; That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Reimbursement for annual licenses issued to Kansas disabled veterans.....\$39,827

Provided, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2013 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service connected disability is equal to or greater than 30%: *Provided further*; That no other hunting or fishing licenses or permits shall be eligible to be paid from this account: *And provided further*; That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

Cabin loan payoff.....\$1,785,473

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund.....\$24,676,963

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if

necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Parks fee fund.....\$5,645,583

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund.....\$1,061,904

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2013 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Central aircraft fund.....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies, and for the purchase of state aircraft insurance: *Provided further*, That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*, That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*, That all fees received for such services shall be credited to the central aircraft fund.

Department access roads fund.....\$1,102,436

Wildlife, parks and tourism nonrestricted fund.....No limit

Prairie spirit rails-to-trails fee fund.....No limit

Plant and animal disease and pest control fund.....No limit

Nongame wildlife improvement fund.....No limit

Wildlife conservation fund.....No limit

Federally licensed wildlife areas fund.....No limit

State agricultural production fund.....No limit

Land and water conservation fund – state.....No limit

Land and water conservation fund – local.....No limit

Development and promotions fund.....No limit

Department of wildlife and parks private gifts and donations fund.....No limit

Fish and wildlife restitution fund.....	No limit
Parks restitution fund.....	No limit
Nonfederal grants fund.....	No limit
Disaster grants – public assistance fund.....	No limit
Soil/water conservation fund	No limit
Navigation projects fund.....	No limit
Recreation resource management fund.....	No limit
Cooperative endangered species conservation fund.....	No limit
Landowner incentive program fund.....	No limit
Bulletproof vest partnership fund.....	No limit
Recreational trails program fund.....	No limit
Highway planning/construction fund.....	No limit
Plant/animal disease and pest control fund.....	No limit
Americorps – ARRA fund	No limit
Cooperative forestry assistance fund.....	No limit
North America wetland conservation fund.....	No limit
Wildlife services fund.....	No limit
Fish/wildlife management assistance fund.....	No limit
Fish/wildlife core act fund	No limit
Watershed protection/flood prevention fund.....	No limit
Suspense fund.....	No limit
Employee maintenance deduction clearing fund.....	No limit
Cabin revenue fund.....	No limit
Feed the hungry fund.....	No limit
State wildlife grants fund	No limit
Boating safety financial assistance fund.....	No limit
Wildlife restoration fund.....	No limit
Sport fish restoration fund.....	No limit
Outdoor recreation acquisition, development and planning fund.....	No limit
Publication and other sales fund.....	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2013, expenditures may made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2013: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate: *And provided further*, That expenditures from this fund for official hospitality shall not exceed \$1,000.

Free licenses and permits fund	No limit
Enforce underage drinking law fund.....	No limit
Migratory bird monitoring.....	No limit
Voluntary public access.....	No limit

(e) In addition to other purposes for which expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2013 by this or

other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the Kansas department of wildlife, parks and tourism from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 to negotiate and enter into contracts for promotional advertising services for the performance of the powers, duties and functions of the Kansas department of wildlife, parks and tourism: *Provided*, That all such contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Sec. 116.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund.....No limit
Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund.....No limit
 County equalization and adjustment fund.....\$2,500,000
 Highway special permits fund.....No limit
 Highway bond debt service fund.....No limit
 Rail service improvement fund.....No limit
 Transportation revolving fund.....No limit
 Rail service assistance program loan guarantee fund.....No limit
 Railroad rehabilitation loan guarantee fundNo limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount which the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2013, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund.....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund.....No limit
 Public use general aviation airport development fund.....No limit
 Highway bond proceeds fund.....No limit
 Communication system revolving fund.....No limit
 Traffic records enhancement fund.....No limit

Other federal grants fund.....No limit
 Kansas intermodal transportation revolving fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2013, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2013 other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Agency operations.....\$284,549,681

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto: *And provided further*, That, if 2012 House Bill No. 2757 or any other legislation which provides for the naming of the SP4 Michael T. Martin and SGT Joseph A Zutterman Jr. Memorial Bridges is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012 of the \$284,549,681 appropriated for the above agency for the fiscal year ending June 30, 2013 by this section from the state highway fund in the agency operations account, the sum of \$3,840 is hereby lapsed.

Conference fees.....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury and credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance.....No limit

ClaimsNo limit

Payments for city connecting links.....\$3,360,000

Federal local aid programs.....No limit

Bond services fees.....No limit

Construction, remodeling and special maintenance projects for buildings.....\$0

Provided, That expenditures may be made from the construction, remodeling and special maintenance projects for buildings account of the state highway fund of amounts in unexpended balances as of June 30, 2012, in capital improvement project accounts of projects approved for prior fiscal years: *Provided further*, That expenditures from this account of amounts in such unexpended balances shall be in addition to any expenditure limitation imposed on this account for fiscal year 2013.

Other capital improvements.....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2013 for the following capital improvement

project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair	\$3,374,157
Buildings – reroofing.....	\$368,826
Buildings – other construction, renovation and repair.....	\$3,031,432

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2013, expenditures may be made by the above agency from the state highway fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2013 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2012, subject to the provisions of section (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(d) During the fiscal year ending June 30, 2013, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2013 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2013, the director of accounts and reports shall transfer from the motor pool service fund of the department of administration to the state highway fund of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2013, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund, the director of accounts and reports shall transfer from the state highway fund to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2013, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2013.

(h) For the fiscal year ending June 30, 2013, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b *et seq.*, and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) During the fiscal year ending June 30, 2013, no expenditures shall be made by the above agency from any moneys appropriated from the state general fund or any

special revenue fund or funds for the fiscal year ending June 30, 2013, to participate in TIGER IV grant programs.

Sec. 117.

Position limitations. (a) The number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in this or other appropriation act of the 2012 regular session of the legislature for the following agencies shall not exceed the following, except upon approval of the state finance council or pursuant to subsection (b):

Attorney General.....	106.50
Secretary of State.....	51.00
State Treasurer.....	46.50
Insurance Department.....	122.36
<i>Provided,</i> That any attorney positions established in the insurance department for the purpose of defense of the workers compensation fund shall be in addition to any limitation imposed on the full-time and regular part-time equivalent number of positions, excluding seasonal and temporary positions, paid from appropriations made for fiscal year 2013 for the department of insurance.	
Department of Commerce.....	238.00
Health Care Stabilization Fund Board of Governors.....	18.00
Judicial Council.....	5.00
Kansas Human Rights Commission.....	23.00
State Corporation Commission.....	209.00
Citizens' Utility Ratepayer Board.....	6.00
Department of Administration.....	542.25
Office of Administrative Hearings.....	13.00
State Court of Tax Appeals.....	19.00
Department of Revenue.....	994.00
Kansas Lottery.....	96.00
Kansas Racing and Gaming Commission – state racing operations and expanded gaming regulation division.....	74.00
Kansas Racing and Gaming Commission – state gaming agency.....	24.00
Department of Labor.....	489.00
Kansas Commission on Veterans Affairs.....	333.00
Department of Health and Environment – Division of Health.....	536.93
Department of Health and Environment – Division of Environment.....	404.63
Kansas Department for Aging and Disability Services.....	277.25
Kansas Department for Children and Families.....	2,987.63
Kansas Neurological Institute.....	469.70
Larned State Hospital.....	889.20
Osawatomie State Hospital.....	386.40
Parsons State Hospital and Training Center.....	437.20
Rainbow Mental Health Facility.....	109.20
Kansas Guardianship Program.....	10.00
State Library	24.00
Kansas State School for the Blind.....	82.50

Kansas State School for the Deaf.....	150.50
State Historical Society.....	117.00
State Board of Regents.....	62.50
Department of Corrections.....	3,058.00

Provided, That, if 2012 Senate Bill No. 434, or any other legislation which grants the secretary of corrections the authority to purchase the St. Francis Boy's Home in Ellsworth County, Kansas, is not passed by the legislature during the 2012 regular session and enacted into law, then on July 1, 2012, the position limitation for the above agency for the fiscal year ending June 30, 2013, by this section is hereby decreased from 3,058.0 to 3,043.0.

Juvenile Justice Authority.....	468.50
Adjutant General.....	197.00
State Fire Marshal.....	48.00
Attorney General – Kansas Bureau of Investigation.....	218.00
Emergency Medical Services Board.....	14.00
Kansas Sentencing Commission.....	8.00
Kansas Commission on Peace Officers' Standards and Training.....	7.00
Kansas Department of Agriculture.....	352.49
State Fair Board.....	25.00
Kansas Water Office.....	21.00
Kansas Department of Wildlife, Parks and Tourism.....	418.50
Department of Transportation.....	2,829.50

(b) During the fiscal year ending June 30, 2013, the secretary of aging and disability services may increase the position limitation for the Kansas department for aging and disability services or for any institution or facility under the general supervision and management of the secretary of aging and disability services by making a corresponding decrease in the position limitation for either the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary of aging and disability services. The secretary of aging and disability services shall certify each such increase and corresponding decrease to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) During the fiscal year ending June 30, 2013, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions, for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2013 made in this or other appropriation act of the 2012 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2013 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 118.

(a) On and after the effective date of this act, during the fiscal year ending June 30, 2012, notwithstanding the provisions of K.S.A. 20-1a11, and amendments thereto, or any other statute, the director of accounts and reports is hereby authorized and directed to transfer \$600,000 from the judicial branch education fund to the judicial branch surcharge fund.

(b) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$107,002 from the judicial performance fund of the judicial council to the judicial branch surcharge fund of the judicial branch.

(c) On July 1, 2012, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 20-3207, and amendments thereto, or any other statute, the state treasurer is hereby authorized and directed to transfer \$600,000 from the judicial performance fund of the judicial council to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the judicial performance fund to the state general fund as prescribed by law: *Provided further*; That the amount transferred from the judicial performance fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2012, the following:

Judiciary operations.....\$500,000

Sec. 119. (a) During the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The passenger car or truck being replaced has an unadjusted odometer reading of 180,000 miles or more; or

(2) the passenger car or truck being replaced requires repairs which are estimated to cost more than the amount equal to 30.0 % of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) As used in this section:

(1) "State agency" means each state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 120. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2013, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2013 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by subsection (c) of K.S.A. 46-137a, and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2012 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 31, 2013, which is chargeable to fiscal year 2012 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2013, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2013.

Sec. 121. Except as otherwise provided in this section, during one year after the date of implementation of the managed care system or any managed care oversight, no state agency named in this or any other appropriation act of the 2012 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2013 and 2014 as authorized by this or any other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight during fiscal year 2013 and fiscal year 2014: *Provided*, That during fiscal year 2013 and fiscal year 2014, any state agency named in this or any other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or any special revenue fund or funds to develop and offer pilot programs for the demonstration, testing and evaluation of the delivery of services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care oversight or any function that is determined to be a managed care oversight: *Provided further*, That, on and after such year of implementation, any state agency named in this or other appropriation act of the 2012 regular session of the legislature may expend moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year ending June 30, 2014, as authorized by this or other appropriation act of the 2012 regular session of the legislature, to provide services through the home and community based waiver for individuals with developmental disabilities or targeted case management for individuals with developmental disabilities under any managed care system or any managed care

oversight or any function that is determined to be a managed care oversight during fiscal year 2014.

Sec. 122. (a) During the fiscal year ending June 30, 2012, in addition to the other purposes for which expenditures may be made by any state agency named in this or any other appropriation act of the 2012 regular session of the legislature, from moneys appropriated from the state general fund or any special revenue fund or funds for any such agency for fiscal year 2012, by chapter 118 of the 2011 Session Laws of Kansas, or by this or any other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by any such state agency from the state general fund or any special revenue fund or funds for fiscal year 2012, to increase the financial management system reimbursement rate to \$125 per individual, per month, to the service provider: *Provided*, That, such increase for the financial management system reimbursement rate to the service provider shall be in effect November 1, 2011, through June 30, 2012: *Provided further*, That, the head of any such agency shall certify the effective reimbursement rate for dates of service between November 1, 2011, through June 30, 2012, for such purposes to the director of the budget on June 30, 2012: *And provided further*, That, if such reimbursement rate certified by such agency head is less than the \$125 per individual, per month, to the service provider, as determined by the director of the budget, the director of the budget shall certify the difference and send a copy of the certification to the director of legislative research and the director of accounts and reports.

(b) On June 30, 2012, for fiscal year 2012, the director of accounts and reports upon receiving such certification of a rate difference in any account of the state general fund or any special revenue fund or funds for any such agency shall cause the additional appropriation for the increase of the financial management system reimbursement rate amount to be lapsed from the following state general fund accounts for the department on aging: the sum of \$99,634 in the LTC medicaid assistance – HCBE/FE account; and the department of social and rehabilitation services: the sum of \$91,429 in the mental health and retardation services aid and assistance account; and the sum of \$194,815 in the community based services account.

Sec. 123.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Undermarket pay adjustment fund.....\$8,534,972

Provided, That all moneys in the undermarket pay adjustment fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund of the salary market adjustments, including associated employer contributions, for executive branch classified employees in positions in job classifications that are reassigned under the market adjustment component during fiscal year 2013 and, upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve the transfer of moneys from the undermarket pay adjustment fund by the director of accounts and reports, who is hereby authorized and directed to make such transfers in

accordance with each such approval, to the proper accounts created by state general fund, state economic development initiatives fund, children's initiative fund, and state water plan fund appropriations for fiscal year 2013 for which such transfers are so approved under this section.

Medicaid management information system and data analysis.....\$1,000,000

Provided, That, during the fiscal year ending June 30, 2013, no moneys appropriated from the state general fund in the medicaid management information system and data analysis account shall be expended or transferred prior to approval of the: (1) Kansas waiver application for implementation of a global managed care system by the federal centers for medicare and medicaid services; and (2) state finance council acting on this matter which is hereby declared to be a matter of legislative delegation and subject to the guidelines prescribed by subsection (c) of K.S.A. 75-3711c, and amendments thereto: *Provided further*, That, upon such approvals, the state finance council is hereby authorized to approve the transfer of moneys from the medicaid management information system and data analysis account by the director of accounts and reports, who is hereby authorized and directed to make such transfers in accordance with the approval, to the medicaid management information system and data analysis fund of the department of health and environment – division of health care finance: *And provided further*, That all moneys in the medicaid management information system and data analysis account shall be used for the purpose of implementing and updating the medicaid management information system and to obtain and monitor data from contractors, upon approval of the waiver application for the purpose of implementing medicaid managed care programs under any global managed care system by the federal centers for medicare and medicaid services: *And provided further*, That such system shall enable the measurement and reporting of outcomes quality and efficiency for individuals receiving medicaid benefits.

(b) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, except paragraph (3) of such subsection (c), is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts established for the fiscal year ending June 30, 2013, by the director of accounts and reports, who is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval, for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund for the fiscal year ending June 30, 2013.

(c) The director of the budget, on behalf of the executive branch of state government, shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified in subsection (a) for the undermarket pay adjustment fund, and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

Sec. 124. (a) On and after July 1, 2012, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amounts to the group insurance reserve

fund attributable to the months of April, May and June, 2013, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

(b) (1) On July 1, 2012, the amount in each account of the state general fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(2) On July 1, 2012, the amount in each account of the state economic development initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, is hereby lapsed from each such account.

(3) On July 1, 2012, the amount in each account of the state water plan fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(4) On July 1, 2012, the amount in each account of the children's initiatives fund of each state agency that is appropriated for the fiscal year ending June 30, 2013, by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, and that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2012, is hereby lapsed from each such account.

(c) On July 1, 2012, the expenditure limitation established for the fiscal year ending June 30, 2012, provided by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2013 regular session of the legislature, or by the state finance council, on each special revenue fund in the state treasury is hereby decreased for fiscal year 2013 by the amount equal to the amount that is budgeted for payment to the Kansas public employees retirement system as a contribution for April, May and June, 2013, to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto, as certified by the director of the budget to the director of accounts and reports for fiscal year 2013, from such special revenue fund, or account thereof.

(d) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to this section, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 125.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities.....\$153,737
Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Judicial center rehabilitation and repair.....\$76,939
Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Replace Docking chillers.....\$483,885
 National bio and agro-defense facility – debt service.....\$2,780,807
 Kansas department of transportation – CTP – debt service.....\$16,150,775
 Statehouse improvements – debt service.....\$13,502,124
 Capitol complex repair and rehabilitation.....\$2,303,075
 Restructuring debt service.....\$2,220,675

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Statehouse improvements – debt service.....\$9,261,895
 Statehouse parking garage – debt service.....\$10,137,244
 Judicial center improvements – debt service.....\$445,297

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund.....No limit
 State facilities gift fund.....No limit
 Master lease program fund.....No limit
 State buildings depreciation fund.....No limit
 Executive mansion gifts fund.....No limit
 Topeka state hospital cemetery memorial gift fund.....No limit
 Landon state office building repair expense fund.....No limit
 MacVicar avenue assessment expense fund.....No limit
 Capitol area plaza authority planning fund.....No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may

be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Motor pool shop – debt service.....No limit
- Paint and grounds shop – debt service.....No limit
- Parking improvements and repair.....No limit

(e) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2013, expenditures may be made by the above agency from the building and ground fund for fiscal year 2013 from any unencumbered balance as of June 30, 2012, in each of the following capital improvement accounts of the building and ground fund: Parking improvements and repair: *Provided*, That the expenditures for fiscal year 2013 from the unencumbered balance of any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the building and ground fund for the fiscal year 2013 from the unencumbered balance in any such account shall be in addition to any expenditure limitation imposed on the building and ground fund for the fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- State of Kansas facilities projects – debt service.....No limit
- Rehabilitation and repair.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013, expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each capital improvement account of the state buildings depreciation fund for one or more projects approved for prior fiscal years: *Provided*, That expenditures from the unencumbered balance in any such account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from any such account shall be in addition to any expenditure limitation imposed on the state buildings depreciation fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

- Memorial hall – debt service.....No limit
- Docking cooling towers replacement – debt serviceNo limit

Eisenhower building purchase and renovation – debt service.....No limit

(i) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Printing plant – debt service.....No limit

(j) In addition to the other purposes for which expenditures may be made from the intragovernmental printing service depreciation reserve fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the intragovernmental printing service depreciation reserve fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....\$75,000

(k) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,300,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*, That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

(l) In addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by the

department of administration from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, to provide additional financing for the capital improvement project to construct, equip, furnish, renovate, reconstruct and repair the state capitol: *Provided*, That such capital improvement project is hereby approved for the department of administration for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That the department of administration may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$10,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds: *And provided further*; That no such bonds shall be issued by the Kansas development finance authority unless the director of the budget has certified to the department of administration and to the Kansas development finance authority that sufficient moneys will be available to make debt service payments for such bonds.

Sec. 126.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities.....	\$135,350
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(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2013, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair.....	\$80,000
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Sec. 127.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund.....	No limit
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Sec. 128.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$1,415,629

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2013 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2013 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Sexual predator treatment program expansion.....\$202,000

Debt service – new state security hospital\$3,845,025

Debt service – state hospitals rehabilitation and repair.....\$2,593,300

Larned state hospital – city of Larned wastewater treatment.....\$124,827

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 129.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund.....No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund for the unemployment insurance program: *Provided, however*, That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2013 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2013 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real

estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury to the credit of the employment security administration property sale fund of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund for fiscal year 2013, expenditures may be made by the above agency from the special employment security fund for fiscal year 2013 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund for fiscal year 2013 for such capital improvement purposes shall not exceed \$205,597: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitation imposed on the special employment security fund for fiscal year 2013.

Sec. 130.

KANSAS COMMISSION ON VETERANS AFFAIRS

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and repair projects.....	\$218,279
Veterans' home rehabilitation and repair projects.....	\$1,021,505

(b) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$455,000 from the veterans cemeteries federal construction fund – federal of the Kansas commission on veterans affairs to the state institutions building fund.

Sec. 131.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$118,882
Security system upgrade project.....	\$110,498
Facilities conservation improvement debt service.....	\$33,519
Health center roof replacement.....	\$59,120

Sec. 132.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....	\$215,000
Roth building repairs.....	\$1,601,188
Facilities conservation improvement debt service.....	\$69,303

Sec. 133.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Rehabilitation and repair projects.....	\$250,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013, expenditures may be made by the above agency from the national historic preservation act fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the national historic preservation act fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in each account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the national historic preservation act fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the national historic preservation act fund – local for fiscal year 2013.

(c) In addition to other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Grinter place exterior rest room ADA remodel	\$25,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the private gifts, grants and bequests fund for fiscal year 2013.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013, expenditures may be made by the above agency from the historic properties fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historic properties fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historic

properties fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historic properties fee fund for fiscal year 2013.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013, expenditures may be made by the above agency from the state historical facilities fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state historical facilities fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state historical facilities fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state historical facilities fund for fiscal year 2013.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013, expenditures may be made by the above agency from the save America's treasures fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the save America's treasures fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the save America's treasures fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the save America's treasures fund for fiscal year 2013.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013, expenditures may be made by the above agency from the historical society capital improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical society capital improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical society capital improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical society capital improvement fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013, expenditures may be made by the above agency from the historical preservation grant in aid fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the historical preservation grant in aid fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance

in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the historical preservation grant in aid fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the historical preservation grant in aid fund for fiscal year 2013.

Sec. 134.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund.....	No limit
Twin towers project revenue fund.....	No limit
Twin towers bond and interest sinking fund.....	No limit
Twin towers maintenance and equipment reserve fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund or the housing system repairs, equipment and improvement fund during the fiscal years ending June 30, 2012, or June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund or the housing system repairs, equipment and improvement fund during fiscal year 2012 or fiscal year 2013 for a capital improvement project to plan, construct and remodel Singular/Trusler residence hall: *Provided, however*, That no such expenditures shall be made until the state board of regents has approved such capital improvement projects and has first advised and consulted on any such project with the joint committee on state building construction.

Sec. 135.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation – bond and interest sinking fund.....	No limit
Lewis field renovation – revenue fund.....	No limit
Memorial union renovation debt service fund.....	No limit

Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Soccer facility fund	No limit
Wind power generation facility fund.....	No limit
Indoor practice facility.....	No limit

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 136.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Engineering complex phase II private gift fund.....	No limit
Ackert hall addition – gifts and grants fund.....	No limit
Student life center – Salina construction debt service fund.....	No limit
Deferred maintenance support fund.....	No limit
Infrastructure maintenance fund.....	No limit
Child care fund.....	No limit

(b) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to redevelop, renovate and equip the Jardine apartments: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$102,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement

project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the housing system operations fund or any other appropriate special revenue fund or funds of Kansas state university.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 as authorized by this or other appropriation act of the 2012 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 to raze building no. 457 (elevator and feed mill), building no. 437 (herdsman house), building no. 10002 (art kiln), building no. 145 (vet surgical instruction), building no. 200 (vet research lab greyhound kennels), building no. 224 (food animal barn and shed) and portions of building no. 025 (seaton court).

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing at Salina: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such

project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the student housing at Salina.

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct the engineering building expansion: *Provided*, That such capital improvement project is hereby approved for Kansas State university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*; That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Kansas state university may make provisions for the maintenance of the engineering building expansion.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing food service centers: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in

accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the money received from the issuance of any such bonds for such capital improvement project: *Provided however*, That expenditures from the money received from the issuance of any such bonds for such capital improvement project shall not exceed \$35,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university may make provisions for the maintenance of student housing food service centers.

Sec. 137.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the restricted fees fund for the fiscal year ending June 30, 2013, expenditures may be made by the above agency from the appropriate account or accounts of the restricted fees fund during fiscal year 2013 for the following capital improvement project or projects:

- Equine education and research center.....No limit
- Grain science center.....No limit
- Southeast research – extension center building.....No limit

Sec. 138.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

- Armory/classroom/recreation center debt service.....\$325,199

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Horace Mann renovation revenue fund.....No limit
- Overman renovation revenue fund.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Student health center – private gifts fund.....No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the

unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for parking improvements: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$4,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(e) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for student housing improvements and construction: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$22,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys

received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

(f) In addition to the other purposes for which expenditures may be made by Pittsburg state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for Pittsburg state university for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, expenditures shall be made by Pittsburg state university from moneys appropriated from the state general fund or any special revenue fund or funds for Pittsburg state university for fiscal year 2013 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for improvements and construction of the student center, physical education center, and performing arts center: *Provided*, That such capital improvement project is hereby approved for Pittsburg state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Pittsburg state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$24,000,000, plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds.

Sec. 139.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

School of pharmacy debt service.....	\$1,628,005
School of pharmacy debt service 2009.....	\$2,494,314

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation revenue fund.....	No limit
Student health facility maintenance, repair, and equipment fee fund	No limit

Regents center revenue fund – K DFA D bonds, 1990.....No limit

Parking facilities surplus fund – K DFA G bonds, 1993.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013

from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Child care facility operations account fund.....No limit
- Child care facility student fee account fund.....No limit
- Student recreation & fitness center revenue fund.....No limit
- Child care facility addition fund.....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2013 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*, That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 140.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Parking fund – K.C. campus.....No limit
- Deferred maintenance support fund.....No limit
- Infrastructure maintenance fund.....No limit
- Construct parking facility #4 fund.....No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2013 from appropriate accounts of the parking fees fund to the construct parking facility #4 fund for such capital improvement project.

(b) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the

above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

Sec. 141.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

Aviation research debt service.....\$1,645,500

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

On campus parking reserve account fund – K DFA B bonds.....No limit
 Parking system project – maintenance fund, K DFA revenue bonds.....No limit
 On campus parking principal and interest fund – K DFA B bonds.....No limit
 Parking system project revenue fund – K DFA bonds.....No limit
 WSU housing system surplus fund.....No limit
 Deferred maintenance support fund.....No limit
 Infrastructure maintenance fund.....No limit

(c) During the fiscal year ending June 30, 2013, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents pursuant to section 162(c) of chapter 118 of the 2011 Session Laws of Kansas or to any provision of this or other appropriation act of the 2012 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2011.

(d) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2013 or fiscal year 2014 authorized by this or other appropriation act of the 2012 regular session of the legislature or by any appropriation act of the 2013 regular session of the legislature, expenditures shall be made by Wichita state university from moneys appropriated from the state general fund or from the state general fund or funds or from any special revenue fund for fiscal year 2013 or for fiscal year 2014 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct Rhatigan student center: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$33,000,000, plus all amounts

required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement projects shall be financed by appropriations from any appropriate special revenue fund or funds, including, but not limited to, money deposited in such fund or funds, including, but not limited to, money deposited in such fund or funds from amounts derived pursuant to K.S.A. 19-5001 *et seq.*, and amendments thereto.

Sec. 142.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, the following:

PEI infrastructure – debt service.....\$5,869,875

Provided, That, during the fiscal year ending June 30, 2013, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund for fiscal year 2013 in the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 after the principal payment has been received for fiscal year 2013 by the state treasurer from the postsecondary institutions that were recipients of the PEI infrastructure bond proceeds, (1) the state board of regents may expend the amount of moneys appropriated for fiscal year 2013 in the PEI infrastructure – debt service account for the principal payment from the PEI infrastructure – debt service account for any other purpose for which moneys are appropriated for fiscal year 2013 from the state general fund for the state board of regents; or (2) the state board of regents may transfer such amount of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013 to an account or accounts of the state general fund of any institution under the control and supervision of the state board of regents to be expended by the institution for a purpose for which expenditures may be made for fiscal year 2013 from such account or accounts and which is approved by the state board of regents: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the PEI infrastructure – debt service account of the state general fund for fiscal year 2013: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Postsecondary educational infrastructure finance	KDFA
2008A revenue fund	No limit
Infrastructure maintenance fund.....	No limit

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

(d) There is appropriated for the above agency from the Kansas educational building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified as follows:

Rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education..... \$35,000,000

...*Provided*, That the state board of regents is hereby authorized to transfer moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Research bond debt service fund.....No limit
Sec. 143.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue.....\$1,038,663
Debt service payment for the reception and diagnostic unit relocation bond issue.....\$1,403,888

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues.....\$500,000
Capital improvements – rehabilitation and repair of correctional institutions.....\$4,235,214

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2013 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue. \$126,786
Sec. 144.

JUVENILE JUSTICE AUTHORITY

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities.....\$806,836

Provided, That the commissioner of juvenile justice is hereby authorized to transfer moneys during fiscal year 2013 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to an account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the commissioner of juvenile justice to be expended during fiscal year 2013 for capital improvement projects approved by the commissioner of juvenile justice: *Provided further*, That the commissioner of juvenile justice shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility.....\$3,995,513

Sec. 145.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects.....\$100,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Electric panel replacement.....\$200,000

Sec. 146.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2013, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Rehabilitation and repair – training center – Salina.....\$53,110

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the highway patrol training center fund for fiscal year 2013.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2013, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – vehicle inspection facility – Olathe.....\$60,656

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the vehicle identification number fee fund for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2013, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitation prescribed therefor:

Debt service – Topeka fleet service.....	\$371,575
Scale replacement and rehabilitation and repair of buildings.....	\$232,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the Kansas highway patrol operations fund for fiscal year 2013.

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$603,575 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2013 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2013 for support and maintenance of the Kansas highway patrol.

Sec. 147.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – training center.....	\$723,213
Debt service – armory/classroom/recreation center at PSU.....	\$115,588
Debt service – rehabilitation and repair of the statewide armories.....	\$2,757,012
Rehabilitation and repair projects.....	\$173,397

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

Sec. 148.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital improvements fund.....	No limit
State fair fee fund.....	No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,000.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2013, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance

of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2013, the following:

State fair bonded debt service.....\$11,182,256
Sec. 149.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) In addition to the other purposes for which expenditures may be made by the above agency from the state general fund for fiscal year 2013, expenditures may be made by the above agency from the state general fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state general fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state general fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state general fund for fiscal year 2013.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2013, for the capital improvement project or projects specified, the following:

Debt service – Kansas City district office.....\$6,600

Provided, That any unencumbered balance in the debt service – Kansas City district office account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2013, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund.....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund.....No limit

(d) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,804,195 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(e) On July 1, 2012, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2013, expenditures may be made by the above agency from the following capital

improvement account or accounts of the state agricultural production fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$513,000

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2013, expenditures may be made by the above agency from the parks fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the parks fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the parks fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the parks fee fund for fiscal year 2013.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office.....\$10,400

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2013, expenditures may be made by the above agency from the boating fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating fee fund for fiscal year 2013.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013, expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the boating safety and financial assistance fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the boating safety and financial assistance fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the boating safety and financial assistance fund for fiscal year

2013.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating access	\$1,204,000
Public lands major maintenance.....	\$35,000
Debt service – Kansas City office.....	\$43,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife fee fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife fee fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife fee fund for fiscal year 2013.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife conservation fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife conservation fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife conservation fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife conservation fund for fiscal year 2013.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013, expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the cabin revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the cabin revenue fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the cabin revenue fund for fiscal year 2013.

(o) In addition to the other purposes for which expenditures may be made by the

above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development.....	\$450,000
Cheyenne bottoms inlet canal renovations.....	\$1,582,912

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013, expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the wildlife restoration fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the wildlife restoration fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the wildlife restoration fund for fiscal year 2013.

(r) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....	\$600,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013.

(s) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2013, expenditures may be made by the above agency from the sport fish restoration program

fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the sport fish restoration program fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the sport fish restoration program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the sport fish restoration program fund for fiscal year 2013.

(t) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition.....\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013.

(u) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013, expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the migratory waterfowl propagation and protection fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the migratory waterfowl propagation and protection fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the migratory waterfowl propagation and protection fund for fiscal year 2013.

(v) In addition to the other purposes for which expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013, expenditures may be made by the above agency from the nongame wildlife improvement fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the nongame wildlife improvement fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the nongame wildlife improvement fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the nongame wildlife improvement fund for fiscal year 2013.

(w) In addition to the other purposes for which expenditures may be made by the above agency from the plant and animal disease and pest control fund for fiscal year 2013, expenditures may be made by the above agency from the plant and animal disease

and pest control fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the plant and animal disease and pest control fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the plant and animal disease and pest control fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the plant and animal disease and pest control fund for fiscal year 2013.

(x) In addition to the other purposes for which expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013, expenditures may be made by the above agency from the land and water conservation fund – local for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the land and water conservation fund – local: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the land and water conservation fund – local for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the land and water conservation fund – local for fiscal year 2013.

(y) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Outdoor recreation	acquisition/development/	
planning operations and maintenance.....		\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013.

(z) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013, expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the outdoor recreation acquisition, development and planning fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the outdoor recreation acquisition, development and

planning fund for fiscal year 2013.

(aa) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program.....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013.

(bb) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013, expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the recreational trails program fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the recreational trails program fund for fiscal year 2013.

(cc) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Public lands major maintenance.....\$124,190

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013.

(dd) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013, expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the federally licensed wildlife areas fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the federally licensed wildlife areas fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the federally licensed wildlife areas fund for fiscal year 2013.

(ee) In addition to the other purposes for which expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for

fiscal year 2013, expenditures may be made by the above agency from the department of wildlife and parks gifts and donations fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the department of wildlife and parks gifts and donations fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the department of wildlife and parks gifts and donations fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the department of wildlife and parks gifts and donations fund for fiscal year 2013.

(ff) In addition to the other purposes for which expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013, expenditures may be made by the above agency from the Tuttle Creek state park mitigation project fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the Tuttle Creek state park mitigation project fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the Tuttle Creek state park mitigation project fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the Tuttle Creek state park mitigation project fund for fiscal year 2013.

(gg) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013, expenditures may be made by the above agency from the highway planning/construction fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the highway planning/construction fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the highway planning/construction fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the highway planning/construction fund for fiscal year 2013.

(hh) In addition to the other purposes for which expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013, expenditures may be made by the above agency from the state wildlife grants fund for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the state wildlife grants fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the state wildlife

grants fund for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the state wildlife grants fund for fiscal year 2013.

(ii) In addition to the other purposes for which expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013, expenditures may be made by the above agency from the disaster grants – public assistance for fiscal year 2013 from the unencumbered balance as of June 30, 2012, in each existing capital improvement account of the disaster grants – public assistance: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2012: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on the disaster grants – public assistance for fiscal year 2013 and shall be in addition to any other expenditure limitation imposed on any such account of the disaster grants – public assistance for fiscal year 2013.

Sec. 150.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) In addition to the purposes for which expenditures may be made by the above agency from the other state fees fund for fiscal year 2013, expenditures may be made by the above agency from the other state fees fund for fiscal year 2013 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Area office rehabilitation and repair.....\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the other state fees fund for fiscal year 2013.

Sec. 151. On July 1, 2012, K.S.A. 2011 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that for the fiscal year ending June 30, ~~2012-2013~~, notwithstanding the other provisions of this section, on March 1, ~~2012-2013~~, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$350,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2012-2013~~ from state fair activities and non-fair days activities through March 1, ~~2012-2013~~, except that, subject to approval by the director of the budget prior to March 1, ~~2012-2013~~, after reviewing the amounts credited to the

state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, the state fair board may certify an amount on March 1, ~~2012-2013~~, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2012-2013~~, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2012-2013~~. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year; and (2) no moneys shall be transferred pursuant to this section from the state general fund to the state fair capital improvements fund during the fiscal year ending June 30, ~~2012-2013~~.

Sec. 152. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2011 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) ~~On the effective date of this act and on July 1, 2008, and July 1, 2014, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. (1) On July 1, 2012, and on July 1, 2013, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto. Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and amendments thereto, to the contrary, of the \$2,000,000 transferred to the state housing trust fund for the fiscal year ending June 30, 2013, pursuant to this subsection, \$600,000 shall be expended to pay the bond indebtedness for the water and sewer infrastructure of the city of Harveyville, Kansas. The president of the Kansas housing resources corporation shall implement and administer the provisions of this paragraph to make such payment for such purposes.~~

(2) ~~On July 1, 2012-2014, and on July 1, 2013-2015, the director of accounts and reports shall transfer \$2,000,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(3) ~~On July 1, 2012, the director of accounts and reports shall transfer \$600,000 from the state general fund to the state housing trust fund established by K.S.A. 2011 Supp. 74-8959, and amendments thereto.~~

(4) ~~Notwithstanding the provisions of K.S.A. 2011 Supp. 74-8959, and~~

amendments thereto, to the contrary, during fiscal year 2013, except as provided in subsection (b)(1), and fiscal year 2014, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before January 14, 2013, and January 13, 2014, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 153. On July 1, 2012, K.S.A. 2011 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2016, the director of accounts and reports shall transfer \$100,000 from the state general fund, \$100,000 from the state water plan fund established by K.S.A. 82a-951, and amendments thereto, and \$100,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that: (a) No transfers shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during ~~state fiscal year 2009, state fiscal year 2010, state fiscal year 2011,~~ state fiscal year 2012 ~~or, state fiscal year 2013 or state fiscal year 2014;~~ (b) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2009 shall not exceed \$320,000;~~ (c) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2010 shall not exceed \$288,000;~~ (d) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2011 shall not exceed \$374,865;~~ and (e) ~~the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2012 shall not exceed \$400,000; and (c) the aggregate of the transfers made pursuant to this section from the state water plan fund to the abandoned oil and gas well fund during state fiscal year 2013 shall not exceed \$600,000 and such transfer from the state water plan fund to the abandoned oil and gas well fund shall be made on the 15th day of each calendar quarter during state fiscal year 2013 in substantially equal amounts as determined by the director of accounts and reports.~~

Sec. 154. On July 1, 2012, K.S.A. 2011 Supp. 72-8814 is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which levies a tax pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range

upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 *et seq.*, and amendments thereto;

(6) multiply the amount computed under (5), but not to exceed 8 mills, by the applicable state aid percentage factor. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) The state board shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts, except that no transfers shall be made from the state general fund to the school district capital outlay state aid fund during the fiscal years ending June 30, ~~2012~~ 2013, or June 30, ~~2013~~ 2014. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 155. On July 1, 2012, K.S.A. 2011 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) (1) The secretary shall determine and from time to time shall redetermine the rate at which moneys shall be credited to the IMPACT program repayment fund in order to satisfy all bond repayment obligations which have been incurred to finance program costs for IMPACT programs, which shall be referred to as

the debt service rate, and the rate at which moneys shall be credited to the IMPACT program services fund in order to finance program costs that are not financed by bonds, which shall be referred to as the direct funding rate. The total of the debt service rate and the direct funding rate shall be the combined rate. Each rate so determined shall be certified to the secretary of revenue. The combined rate determined under this subsection shall not exceed 2%.

(2) Upon receipt of the rates determined and certified under subsection (a)(1), the secretary of revenue shall apply daily the combined rate to that portion of the moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited as follows: (A) The portion attributable to the debt service rate shall be credited to the IMPACT program repayment fund; and (B) the remaining portion shall be credited to the IMPACT program services fund.

(3) The aggregate of all amounts credited to the IMPACT program repayment fund under this section during any fiscal year to pay bond repayment obligations on bonds to finance major project investments shall not exceed the amount which results when the rate of 2% is applied to all moneys withheld from the wages of individuals and received under the Kansas withholding and declaration of estimated tax act.

(4) The provisions of this subsection shall remain in effect prior to July 1, 2012.

(b) Commencing July 1, 2012, and on the first day of each month thereafter during fiscal year 2013 and fiscal year 2014, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 *et seq.*, and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto.

(c) Commencing July 1, ~~2012-2014~~, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2011 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2011 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 156. On the effective date of this act, K.S.A. 2011 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for

the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2011 Supp. 74-99b01 *et seq.*, and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2) ~~or (h), (d)(3), (h) or (i)~~, for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. ~~The state treasurer may make estimated payments to the bioscience authority more frequently based on estimates provided by the secretary of revenue and~~ During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014, such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For fiscal year ~~2012-2013~~, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the ~~sales tax refund state general fund of the department of revenue~~ to the following: the center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and

reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) For fiscal year 2013, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 *et seq.*, and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During the fiscal years ending June 30, ~~2012-2013~~, and June 30, ~~2013-2014~~, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$35,000,000 for each such fiscal year.

(i) During the fiscal year ending June 30, 2012, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$12,322,186 for such fiscal year.

Sec. 157. On July 1, 2012, K.S.A. 2011 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each

school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) determine the median AVPP of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2011 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 5% for contractual bond obligations incurred by a school district prior to the effective date of this act, and 25% for contractual bond obligations incurred by a school district on or after the effective date of this act;

(5) determine the amount of payments in the aggregate that a school district is obligated to make from its bond and interest fund and, of such amount, compute the amount attributable to contractual bond obligations incurred by the school district prior to the effective date of this act and the amount attributable to contractual bond obligations incurred by the school district on or after the effective date of this act;

(6) multiply each of the amounts computed under (5) by the applicable state aid percentage factor; and

(7) add the products obtained under (6). The amount of the sum is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer

payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) Amounts transferred to the capital improvements fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

Sec. 158. On July 1, 2012, K.S.A. 2011 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2011 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either (1) the endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution, or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible

educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$6,000,000 in fiscal year 2009, \$7,000,000 in fiscal year 2010 and \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 159. On July 1, 2012, K.S.A. 2011 Supp. 76-783 is hereby amended to read as follows: 76-783. (a) (1) The Kansas development finance authority is hereby authorized to issue from time to time bonds on behalf of the board of regents in such principal amounts as the Kansas development finance authority and the board of regents determine to be necessary to provide sufficient funds to finance scientific research and development facilities, including, but not limited to, the payment of interest on such bonds, the establishment of reserves to secure such bonds, costs of issuance, refunding any outstanding bonds, and all other expenditures of the board of regents incident to and necessary or convenient to carry out the powers and functions authorized by this act. The Kansas development finance authority shall not issue any bond or bonds on behalf of the corporation formed by the board of regents under this act. The Kansas development finance authority shall not issue bonds under this act for more than \$120,000,000, in the aggregate, plus all amounts required for costs of any bond issuance, costs of interest on any bond issued or obtained for such scientific research and development facilities and any required reserves for payment of principal and interest on any such bond.

(2) Except as may otherwise be expressly provided by the board of regents, every obligation of the board of regents with respect to such bonds shall be an obligation of the board of regents payable out of any revenues or moneys of the board of regents derived from annual appropriations of the legislature. Subject only to any agreements with holders of particular bonds pledging any particular revenues, the board of regents shall use moneys derived from scientific research and development facilities to provide funds sufficient to pay principal and interest on any bonds issued pursuant to this act commencing after the date a project is completed and has been accepted by the board of regents. Subject to the provisions of appropriation acts, payment of principal and interest on the bonds shall be made by the state board of regents from annual appropriations by the legislature from such revenues as are furnished by the board of regents, or from any other available funds, in amounts sufficient to pay principal and interest on the bonds until the bonds are finally paid.

(3) Upon acceptance by the board of regents of each project initiated and completed under this act and upon a determination by the board of regents that the period for repayment of debt for such project is to commence, the board of regents shall certify to the director of accounts and reports that principal and interest payments for such project are to commence and the dates and amounts of all principal and interest payments for such project. Pursuant to each such certification and commencing on or after July 1, 2004, the director of accounts and reports shall transfer, from the state general fund to the debt service fund or funds at a state educational institution as specified in the certification for such project, the amount certified on or before the respective payment

date therefor. Transfers shall be made under this section pursuant to any such certification on or after July 1, 2004. All such transfers during the fiscal years ending June 30, ~~2012~~ 2013, and June 30, ~~2013~~ 2014, shall be considered to be revenue transfers from the state general fund. The aggregate of all such transfers from the state general fund during any fiscal year shall not exceed \$10,000,000 and the aggregate of all such transfers from the state general fund under this section shall not exceed \$50,000,000. The Kansas development finance authority and the board of regents shall enter into contracts with respect to the scientific research and development facilities financed under this act prescribing the obligation of the board of regents and the state educational institutions to provide for repayment of amounts of bond debt service in addition to those amounts provided for by transfers under this section from the state general fund.

(b) (1) The bonds shall be authorized by a resolution adopted by the board of directors of the Kansas development finance authority.

(2) Except as otherwise provided in this act, bonds issued by the Kansas development finance authority under authority of this act shall be subject to the provisions of K.S.A. 74-8901 *et seq.*, and amendments thereto.

(c) Any resolution authorizing the board of regents to incur any obligation with respect to bonds issued by the Kansas development finance authority may contain such provisions as deemed appropriate by the board of regents for the purpose of carrying out the purposes of this act and securing such bonds, which shall be a part of the contract with the holders thereof, including, but not limited to, provisions:

(1) Pledging all or any part of the revenues of the board of regents derived from scientific research and development facilities to secure the payment of the bonds or of any issue thereof, subject to such agreements with bondholders as may then exist;

(2) the setting aside of reserves or sinking funds and the regulation and disposition thereof;

(3) limitations on the issuance of additional bonds or other obligations, the terms upon which additional bonds or obligations may be issued and secured, and the refunding of outstanding or other bonds;

(4) defining the acts or omissions to act which shall constitute a default in the obligations and duties of the board of regents to the Kansas development finance authority, the applicable bond trustee or the holders of the bonds, except that such rights and remedies shall not be inconsistent with the general laws of this state and the other provisions of this act; and

(5) any other matters, of like or different character, which in any way affect the security or protection of the holders of the notes or bonds.

(d) Any of the provisions relating to any bonds described in this section may be set forth in a trust indenture, loan agreement, lease agreement or other financing document authorized by a resolution of the board of regents or the board of directors of the Kansas development finance authority.

(e) The bonds of each issue may, in the discretion of the board of directors of the Kansas development finance authority, be made redeemable before maturity at such prices and under such terms and conditions as may be determined by the board of directors of the Kansas development finance authority. Bonds issued on behalf of the board of regents shall mature at such time, not exceeding 30 years from their date of issue, as may be determined by the board of regents and the board of directors of the Kansas development finance authority. The bonds may be issued as serial bonds

payable in annual installments or as term bonds or as a combination thereof. The bonds shall bear interest at such rate either fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment and at such place, and be subject to such terms of redemption as provided in the resolution of trust indenture. The bonds may be sold by the Kansas development finance authority, at public or private sale, at such price as the board of directors of the Kansas development finance authority shall determine.

(f) In case any officer of the Kansas development finance authority whose signature or a facsimile of whose signature appears on any bonds or coupons attached thereto ceases to be such officer before the delivery thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

(g) Any bonds issued by the Kansas development finance authority pursuant to this section, and the income therefrom (including any profit from the sale thereof) shall at all times be free from taxation by the state or any agency, political subdivision or instrumentality of the state, including income and property taxes.

(h) Any holder of bonds issued under the provisions of this act, or any coupons appertaining thereto and the trustee under any trust agreement or resolution authorizing the issuance of such bonds, except the rights under this act may be restricted by such trust agreement or resolution, may, either at law or in equity by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the state or granted under this act or under such agreement or resolution, or under any other contract executed by the board of regents pursuant to this act, and may enforce and compel the performance of all duties required by this act or by such trust agreement or resolution to be performed by the board of regents or by an officer thereof.

(i) The bonds shall be special, limited obligations of the Kansas development finance authority and the state shall not be liable for bonds issued by the Kansas development finance authority on behalf of the board of regents, and such bonds shall not constitute a debt of the state.

(j) Neither the board of regents, the board of the Kansas development finance authority nor any authorized employee of the board of regents or the Kansas development finance authority shall be personally liable for such bonds by reason of the issuance thereof.

(k) Nothing in this act shall be construed as a restriction or limitation upon any other powers which the board of regents might otherwise have under any other law of this state, and this act is cumulative to any such powers. This act does and shall be construed to provide a complete, additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws. The issuance of bonds under the provisions of this act need not comply with the requirements of any other state law applicable to the issuance of bonds. No proceedings, notice or approval shall be required for the issuance of any bonds or any instrument as security therefor, except as is provided in this act.

(l) Any of the provisions relating to bonds described in this section may be included in any contracts between the board of regents and the Kansas development finance authority relating to obligations of the Kansas development finance authority issued on behalf of the board of regents.

Sec. 160. On July 1, 2012, K.S.A. 2011 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto.

~~(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2010, pursuant to this section.~~

~~(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013, pursuant to this section.~~

~~(4)(3) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2011 Supp. 76-7,104, and amendments thereto, during the fiscal year ending June 30, 2013-2014, pursuant to this section.~~

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 161. On July 1, 2012, K.S.A. 2011 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and ~~acts amendatory thereof and supplemental amendments~~ thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2012 2013~~ and ~~2013 2014~~. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 162. On July 1, 2012, K.S.A. 2011 Supp. 79-2978 is hereby amended to read as follows: 79-2978. (a) There is hereby established in the state treasury the business machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the business machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this

purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (e).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (d) and subsection (g), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (e).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference for distribution as provided in subsection (e).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (e).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on commercial and

industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on commercial and industrial machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (d), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (e).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) The calculations required by subsection (b) shall be based upon a certification made by the county clerk on or before November 15 of the tax year and submitted to the director of property valuation. Such certification shall be in a format devised and prescribed by the director of property valuation. Such certification shall report the total *ad valorem* taxes levied by the county on commercial and industrial machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on commercial and industrial machinery and equipment. The county clerk shall provide a copy of such certification to the county treasurer for the purpose of determining the distribution of moneys pursuant to the provisions of subsection (e)(2) paid to the county pursuant to subsection (b) by the state treasurer.

(d) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(e) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the business machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (g), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (g) shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and~~ (E) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred

from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.

(2) The state treasurer shall apportion and distribute the moneys credited to the business machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on commercial and industrial machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on commercial and industrial machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(f) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on commercial and industrial machinery and equipment not included in the total *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and such abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(g) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the business machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2979, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in

the amount of such transfer from the state general fund to the business machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 163. On July 1, 2012, K.S.A. 2011 Supp. 79-2979 is hereby amended to read as follows: 79-2979. (a) There is hereby established in the state treasury the telecommunications and railroad machinery and equipment tax reduction assistance fund which shall be administered by the state treasurer. All expenditures from the telecommunications and railroad machinery and equipment tax reduction assistance fund shall be for the payments to counties for distribution to taxing subdivisions levying *ad valorem* taxes within the county in accordance with this section.

(b) The secretary of revenue shall adopt a policy using the most current information that is available, and that is determined to be practicable by the secretary for this purpose and shall calculate the following:

(1) On January 31, 2008, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2007 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2008, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 90% of such difference for distribution as provided in subsection (d).

(2) On January 31, 2009, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2008 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On March 2, 2009, subject to the provisions of subsection (c) and subsection (f), the state treasurer shall pay to the county treasurer of each county an amount equal to 70% of such difference for distribution as provided in subsection (d).

(3) On January 31, 2010, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2009 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2010, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 50% of such difference

for distribution as provided in subsection (d).

(4) On January 31, 2011, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2010 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2011, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 30% of such difference for distribution as provided in subsection (d).

(5) On January 31, 2012, the secretary shall calculate for each county an amount equal to the difference in total *ad valorem* taxes levied by the county on telecommunications machinery and equipment and railroad machinery and equipment for all taxing subdivisions within the county imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment for tax year 2005, and the total of such *ad valorem* taxes levied for tax year 2011 not including any such *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment that were abated or exempted prior to July 1, 2006, and which such abatement or exemption expired after July 1, 2006. On or before February 15, 2012, subject to the provisions of subsection (c), the state treasurer shall pay to the county treasurer of each county an amount equal to 10% of such difference for distribution as provided in subsection (d).

(6) There shall be no payments made pursuant to this section after the payments made by the state treasurer on or before February 15, 2012, and the provisions of this section shall expire at such time.

(c) If the amount calculated for the difference in subsections (b)(1) through (b)(5) is negative, the amount calculated for such county for such year shall be deemed to be zero and no amount shall be paid to the county treasurer of such county as otherwise provided in subsection (b). Nothing in this section shall be construed to require the county to make any payments to the state in such event that the amount calculated for the difference is negative for the county for such year.

(d) (1) On January 31 of each year specified in this section, the secretary of revenue shall certify to the director of accounts and reports the aggregate of all amounts determined for counties pursuant to subsection (b). Upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund, except that (A) the aggregate amount of moneys transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2009, pursuant to this section shall not exceed the maximum amount determined pursuant to subsection (f), (B) an amount equal to 50% of the maximum amount determined pursuant to subsection (f) shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund on March 2, 2009, (C) no moneys shall be transferred from the state general fund

to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2010, pursuant to this section, (D) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2011, pursuant to this section, ~~and (E) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2012, pursuant to this section, (F) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2013, pursuant to this section, and (G) no moneys shall be transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during the state fiscal year ending June 30, 2014, pursuant to this section.~~

(2) The state treasurer shall apportion and distribute the moneys credited to the telecommunications and railroad machinery and equipment tax reduction assistance fund to the county treasurers in accordance with subsection (b). Upon receipt of each such amount, each county treasurer shall apportion such amount among the *ad valorem* taxing subdivisions imposing *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment in an amount equal to the difference between the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year 2005 and the total *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment levied by each such *ad valorem* taxing subdivision for the tax year of the apportionment, subject to the percentage reduction set forth in subsection (b) for the tax year of the apportionment of such moneys to that county. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them.

(e) Before January 31 of 2007 through 2013, the secretary of revenue shall make a detailed report of amounts calculated as required pursuant to subsection (b) for each individual county and in aggregate for all the counties for the current year along with any projections for future years, amounts distributed to the counties pursuant to this section, the amount of *ad valorem* taxes on telecommunications machinery and equipment and railroad machinery and equipment not included in the total of *ad valorem* taxes for each tax year due to the fact that the tax liability of such machinery and equipment was abated or exempted prior to July 1, 2006, and the abatement or exemption expired after July 1, 2006, for each individual county and in aggregate for all counties and all other relevant information related to the provisions of this section, and shall present such report before such date to the house committee on taxation of the house of representatives and the senate committee on assessment and taxation of the senate for consideration by the legislature in making any appropriate adjustments to the provisions of this section.

(f) (1) The maximum amount that may be transferred during the fiscal year ending June 30, 2009, from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund pursuant to this section shall be equal to (A) the amount equal to 93.5% of the aggregate amount determined under

subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto, multiplied by (B) the result obtained by dividing the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) plus the amount equal to 93.5% of the aggregate amount determined under subsection (b)(2) of K.S.A. 2011 Supp. 79-2978, and amendments thereto.

(2) If a maximum amount is imposed under this subsection and the aggregate amount transferred from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009 pursuant to this section is reduced, then the amount allocated to each county by the state treasurer under subsection (b)(2) shall be reduced proportionately with respect to aggregate reduction in the amount of such transfer from the state general fund to the telecommunications and railroad machinery and equipment tax reduction assistance fund during state fiscal year 2009.

Sec. 164. On July 1, 2012, K.S.A. 2011 Supp. 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, is hereby amended to read as follows: 79-3425i. (a) On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to section 1 of 2012 House Bill No. 2557, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2010, state fiscal year 2011, state fiscal year 2012~~ 2013 or state fiscal year ~~2013~~ 2014; (3) all transfers under this section shall be considered to be demand transfers from the state general fund; and (4) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57;

Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.

(b) During the state fiscal year ending June 30, 2010, on July 15, 2009, and January 15, 2010, the director of accounts and reports shall transfer \$2,515,916 from the state highway fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto.

Sec. 165. On July 1, 2012, K.S.A. 2011 Supp. 79-34,156 is hereby amended to read as follows: 79-34,156. ~~On April 1, 2007, the director of accounts and reports shall transfer \$437,500 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on April 1, 2007, then the director of accounts and reports shall transfer on such date the amount~~

available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund. On July 1, 2007, and quarterly thereafter, the director of accounts and reports shall transfer \$875,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, except: (a) That, during the fiscal year ending June 30, ~~2012~~ 2013, on July 1, ~~2011~~ 2012, October 1, ~~2011~~ 2012, and January 1, ~~2012~~ 2013, and April 1, ~~2012~~ 2013, the director of accounts and reports shall transfer \$50,000 from the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund, and (b) that, if sufficient moneys are not available in the state economic development initiatives fund for any such transfer during the fiscal year ending June 30, ~~2012~~ 2013, then the director of accounts and reports shall transfer the amount available in the state economic development initiatives fund to the Kansas qualified biodiesel fuel producer incentive fund on the date specified in the fiscal year ending June 30, ~~2012~~ 2013. If sufficient moneys are not available in the state economic development initiatives fund for such transfer on July 1, ~~2012~~ 2013, and on the first day of any calendar quarter thereafter, in any such fiscal year, then the director of accounts and reports shall transfer on such date the amount available in the state economic development initiatives fund in accordance with this section and shall transfer on such date, or as soon thereafter as moneys are available therefor, the amount equal to the insufficiency from the state general fund to the Kansas qualified biodiesel fuel producer incentive fund; except that no moneys shall be transferred from the state general fund to the Kansas biodiesel fuel producer fund during the fiscal year ending June 30, ~~2011~~ 2012, or the fiscal year ending June 30, ~~2012~~ 2013.

Sec. 166. On July 1, 2012, K.S.A. 2011 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that ~~(1) no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012~~ 2013, or June 30, ~~2013~~, and ~~(2) any transfers of moneys from the state general fund to the Kansas retail dealer incentive fund during the state fiscal year ending June 30, 2010, under this or any other statute that have been made prior to the effective date of this act shall be reversed by the director of accounts and reports and reversing entries shall be entered upon the accounting records of the state treasurer therefor~~ 2014. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the

expiration of K.S.A. 2011 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 167. On July 1, 2012, K.S.A. 2011 Supp. 79-4227 is hereby amended to read as follows: 79-4227. (a) All revenue collected or received by the director from the tax imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the mineral production tax refund fund created under subsection (b) of this section. Except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c) of this section; and (2) the remainder shall be credited to the state general fund. On and after July 1, 2008 2012, and thereafter, except as otherwise provided by this section, the state treasurer shall credit the remainder of such amounts for oil and gas for any county which in fiscal year 2005 or any fiscal year thereafter had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas as follows: (1) Seven percent to the special county mineral production tax fund created under subsection (c); (2) 4.96% from July 1, 2008, through June 30, 2009, to the oil and gas valuation depletion trust fund; 7.44% from July 1, 2009, through June 30, 2010, to the oil and gas valuation depletion trust fund; 9.93% from July 1, 2010, to June 30, 2011, to the oil and gas valuation depletion trust fund; and 12.41% from July 1, 2011, and thereafter, to the oil and gas valuation depletion trust fund; and (3) the remainder shall be credited to the state general fund. During fiscal year 2013, the state treasurer shall credit the remainder of such amounts as follows: (1) As otherwise provided in this section; and (2) on the 15th day of each month, the state treasurer shall determine the amount of revenue collected or received by the director from the tax imposed by this act during the preceding month which exceeds the consensus revenue estimate for such preceding month. If such amount of revenue collected or received for such preceding month is greater than the estimated amount of revenue for such preceding month, then the state treasurer shall credit 14.63% of the difference between the actual amount collected or received and the estimated amount of revenue to the incentive for technical education fund, and 85.37% of the difference between the actual amount collected or received and the estimated amount of revenue to the tuition for technical education fund. During fiscal year 2013, the amount credited to the incentive for technical education fund shall not exceed \$1,500,000, and the amount credited to the tuition for technical education fund shall not exceed \$8,750,000. The incentive for technical education fund and the tuition for technical education fund are hereby created in the state treasury.

(b) A refund fund designated as "mineral production tax refund fund" not to exceed \$50,000 is hereby created for the prompt payment of all tax refunds. The mineral production tax refund fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) There is hereby created a special county mineral production tax fund. On December 1, 1983, and quarterly thereafter, the director of taxation shall distribute all moneys credited to such fund to the county treasurers of all counties in which taxes were levied under K.S.A. 79-4217, and amendments thereto, for the severing and

producing of coal, oil or gas from property within the county, in the proportion that the taxes levied upon production in each county bears to the total of all of such taxes levied in all of such counties. Such distribution shall be based on returns filed, with any adjustments or corrections thereto made by the director of taxation.

(d) The secretary of revenue shall make provision for the determination of the counties within which taxes are levied under K.S.A. 79-4217, and amendments thereto, for the severance of coal, oil or gas and shall certify the same to the director of accounts and reports.

(e) The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from the special county mineral production tax fund upon vouchers approved by the director of taxation. Upon receipt of such warrant, each county treasurer shall credit 50% of the amount thereof to the county general fund and shall distribute the remaining 50% thereof to the treasurer of each school district all or any portion of which is located within the county in the proportion that the assessed value of coal, oil and gas properties within each district bears to the total of the assessed value of all coal, oil and gas properties within the county. Such assessed valuation shall be determined upon the basis of the most recent November 1 tax roll. The treasurer of each school district shall credit the entire amount of the moneys so received to the general fund of the school district.

Sec. 168. On July 1, 2012, K.S.A. 2011 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, except that ~~(1) such transfers during each fiscal year commencing after June 30, 2008, are subject to reduction under K.S.A. 75-6704, and amendments thereto, (2) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2009, shall not exceed \$2,000,000, (3) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2010, shall not exceed \$3,295,432, (4) the total amount of moneys transferred from the state general fund to the state water plan fund during the fiscal year ending June 30, 2011, shall not exceed \$1,348,245, and (5) no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years year ending June 30, 2012, or June 30, 2013. On the effective date of this act, the director of accounts and reports shall transfer the amount in excess of \$2,000,000 which was transferred from the state general fund to the state water plan fund prior to the effective date of this act during the fiscal year ending June 30, 2009, as certified by the director of the budget to the director of accounts and reports to the state general fund. All transfers under this section shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2010, and June 30, 2011, shall be considered revenue transfers from the state general fund.~~

Sec. 169. On the effective date of this act, K.S.A. 2011 Supp. 12-5256 and 74-99b34 are hereby repealed.

Sec. 170. On July 1, 2012, K.S.A. 2011 Supp. 2-223, 55-193, 72-8814, 74-50,107, 75-2319, 76-775, 76-783, 76-7,107, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171, 79-4227 and 82a-953a are hereby repealed.

Sec. 171. (a) Except as provided in subsection (b), except to the extent required by federal law, during the fiscal year ending June 30, 2013, no state agency named in chapter 118 of the 2011 Session Laws of Kansas or in this or other appropriation act of the 2012 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2013, from the state general fund or in any special revenue fund or funds for such state agency by chapter 118 of the 2011 Session Laws of Kansas or by this or other appropriation act of the 2012 regular session of the legislature, for health care services provided by any such state agency, or any employee of such state agency while acting within the scope of such employee's employment, which include abortion: *Provided, however*, That the provisions of this section shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.

(b) Nothing in this section shall be construed to prevent a physician enrolled in a residency program and employed by the university of Kansas medical center from receiving experience with induced abortions, conducted at facilities other than those owned, leased or operated by the university of Kansas hospital authority or any other state entity: *Provided, however*, That for purposes of this section only, such physicians shall be considered acting outside the scope of such physician's official employment in such actions.

(c) As used in this section "abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.

Sec. 172. *Severability*. If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 173. *Appeals to exceed position limitations*. (a) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2012, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

(b) The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for the fiscal year ending June 30, 2013, made in chapter 118 of the 2011 Session Laws of Kansas or in this act or in any other appropriation act of the 2012 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 174. *Appeals to exceed expenditure limitations*. (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 175. *Savings*. (a) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in this act which is not otherwise specifically appropriated or limited by this or other appropriation act of

the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2012, in any special revenue fund, or account thereof, of any state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas which is not otherwise specifically appropriated or limited for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 176. During the fiscal year ending June 30, 2013, all moneys which are lawfully credited to and available in any bond special revenue fund, which are not otherwise specifically appropriated or limited by this or other appropriation act of the 2012 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2013, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 177. *Federal grants.* (a) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in this act and which is not otherwise appropriated to that state agency by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2013, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2013, each federal grant or other federal receipt which is received by a state agency named in section 79 of chapter 118 of the 2011 Session Laws of Kansas and which is not otherwise appropriated to that state agency for fiscal year 2013 by this or other appropriation act of the 2012 regular session of the legislature, is hereby appropriated for fiscal year 2013 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2013, until the governor has authorized the state agency to make expenditures from such federal grant or other

federal receipt for fiscal year 2013.

(c) In addition to the other purposes for which expenditures may be made by any state agency which is named in this act and which is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2013 by chapter 118 of the 2011 Session Laws of Kansas or by this act or any other appropriation act of the 2012 regular session of the legislature to apply for and receive federal grants during fiscal year 2013, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt, which has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 178. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature, and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 179. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 180. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2012 regular session of the legislature and having an unencumbered balance as of June 30, 2012, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2013, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This section shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2011.

Sec. 181. Any transfers of money during the fiscal year ending June 30, 2013, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2013.

Sec. 182. This act shall take effect and be in force from and after its publication in the Kansas register.":

inserting "and June 30, 2016,"; in line 9, by striking "79-2959,"; also in line 9, after "79-3425i," by inserting "as amended by section 10 of 2012 House Bill No. 2557,"; in line 10, following "79-34,171" by inserting ", 79-4227";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub for SB 294** was adopted.

On roll call, the vote was: Yeas 80; Nays 35; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alford, Arpke, Aurand, Billinger, Boman, Brown, Bruchman, Brunk, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Dillmore, Fawcett, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, O'Brien, O'Neal, Osterman, Pauls, Peck, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, K. Wolf, Wolfe Moore, Worley.

Nays: Ballard, Bethell, Bollier, Brookens, Burgess, Burroughs, Calloway, Carlin, Davis, Donohoe, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gordon, Grant, Henderson, Henry, Kiegerl, Kuether, Mah, Moxley, O'Hara, Otto, Patton, Peterson, Phelps, Ruiz, Sloan, Tyson, Victors, Williams, Winn.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Lane, LeDoux, McCray-Miller, Roth, Slattery, Vickrey, Ward, B. Wolf.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote YES on **H Sub for SB 294**, the hard work to overcome the many challenges that faced our Appropriations Committee is much appreciated. The people of Kansas want to believe we are engaging in full and open debate on the many issues that we act upon.

The budget process requires our full and undivided attention and I believe your committee and Budget Sub-committees provided that degree of oversight.

Like Budgets before and those to come, the prioritizing of state revenues and expenditures remains our job #1. – JOHN C. GRANGE, RICHARD PROEHL

MR. SPEAKER: **H Sub for SB 294**, although flawed is a step in the right direction to promote growth for the Kansas economy. The goals of prudent spending while leaving a

budget surplus are meritorious, but the rescission of the modest funds to reduce the waiting list for desperate autistic children in unconscionable and unacceptable. Trying to meet economic objectives, no matter how desirable by denying assistance to the most needy is a disgrace. I vote no. – S. MIKE KIEGERL

MR. SPEAKER: After careful consideration, I vote no on **H Sub for SB 294**. While many facets of the final compromise I appreciate, including an increase in the base state aid and an overall freeze in spending, I cannot support a final budget which does not provide measurable property tax relief and denies state employees a well deserved cost of living pay raise.

Today my constituents can't speak or vote. So today I am casting my vote for the residents of Topeka that continue to face increased property taxes, and for our state's employees whose work merits our appreciation. – JOE PATTON

MR. SPEAKER: While I appreciate the work of the budget committees of both houses, this budget falls short in fulfilling my values. We show our values by where we put our money. Some would place that value on having a higher ending balance. I value educating our children and, the Christian concept of caring for the least among us. I also have a commitment to helping our local communities reduce the demands on property taxes. These and other priorities of mine were ignored, dashed and neglected by our process and this bill. On **H Sub for SB 294**, I vote no. – TOM MOXLEY

MR. SPEAKER: I vote no on **H Sub for SB 294**. While I appreciate that the budget included an increase in the base state aid for schools, it does not begin to restore the massive cuts made over the last few years. The budget also fails to include the property tax cut I supported, fails to properly reward state workers, and fails to help the nearly 7,000 Kansans with disabilities waiting for services. The budget reflects our priorities and Kansans deserve better. – ANN MAH, VALDENIA WINN, GERALDINE FLAHARTY, BRODERICK HENDERSON, ANNIE KUETHER

MR. SPEAKER: The budget conference committee report is always a mixed bag. **H Sub for SB 294** is no different. We strongly support the overdue undermarket pay adjustments for state employees and increased aid for K-12 schools contained in this bill. However, we have fought for property tax relief throughout this session and this budget makes no provisions for this through the Local Ad Valorem Tax Reduction Fund. When we have a \$600 million budget surplus, surely we can afford to grant much needed property tax relief for all Kansans. Because this got left on the conference committee table, we cannot support **H Sub for SB 294** and therefore vote NO. – PAUL DAVIS, GAIL FINNEY, TOM BURROUGHS, BILL FEUERBORN, BARBARA BALLARD, STAN FROWNFELTER, EBER PHELPS

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **H Sub for SB 416**, and has appointed Senators Wagle, Lynn and Holland as second conferees on the part of the Senate.

On motion of Rep. Siegfried, the House recessed until 2:15 p.m.

MID-AFTERNOON SESSION

The House met pursuant to recess with Speaker O'Neal in the chair.

CHANGE OF CONFEREES

Speaker O'Neal announced the appointment of Rep. Winn as a member of the conference committee on **SB 155** to replace Rep. Ward.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 425** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, in line 7, by striking "On and after January 1, 2008, through December 31,"; by striking all in line 8; in line 9, by striking "shall be numbered one to 13." and inserting "Subject to appropriations therefor,"; also in line 9, by striking "2018" and inserting "2013";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

THOMAS C. OWENS

JEFF KING

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub SB 425** was adopted.

On roll call, the vote was: Yeas 98; Nays 13; Present but not voting: 1; Absent or not voting: 13.

Yeas: Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, Goico, Gonzalez, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Davis, DeGraaf, Garber, S. Gatewood, Goodman, Gordon,

Howell, Kuether, O'Brien, Peck, Scapa.

Present but not voting: Pottorff.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

The House stood at ease until the sound of the gavel.

The House was called to order by Speaker O'Neal.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub SB 40; SB 155**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 40** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 40, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 17 and inserting:

"Section 1. K.S.A. 2011 Supp. 75-4209 is hereby amended to read as follows: 75-4209. (a) The director of investments may invest and reinvest state moneys eligible for investment which are not invested in accordance with K.S.A. 75-4237, and amendments thereto, in the following investments:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations and securities of the United States sponsored enterprises which under federal law may be accepted as security for public funds, on and after the effective date of this act moneys available for investment under this subsection shall not be invested in mortgage-backed securities of such enterprises and of the government national mortgage association, except that any such mortgage-backed securities held prior to the effective date of this act may be held to maturity;

(2) repurchase agreements with a bank or a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof and obligations and securities of United States government sponsored enterprises which under federal law may be accepted as security for public funds;

(3) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; and

(4) corporate bonds which have received one of the two highest ratings by a nationally recognized investment rating firm.

(b) When moneys are available for deposit or investments, the director of investments may invest in SKILL act projects and bonds pursuant to K.S.A. 74-8920, and amendments thereto, and in state agency bonds and bond projects.

(c) When moneys are available for deposits or investments, the director of investments may invest in preferred stock of Kansas venture capital, inc., under terms and conditions prescribed by K.S.A. 74-8203, and amendments thereto, but such investments shall not in the aggregate exceed a total amount of \$10,000,000.

(d) When moneys are available for deposits or investments, the director of investments may invest in loans pursuant to legislative mandates, except that not more than the greater of 10% or \$140,000,000 of the state moneys shall be invested.

(e) Interest on investment accounts in banks is to be paid at maturity, but not less than annually.

(f) Investments made by the director of investments under the provisions of this section shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(g) Investments under subsection (a) or (b) or under K.S.A. 75-4237, and amendments thereto, shall be for a period not to exceed four years, except that linked deposits authorized under the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall not exceed a period of 10 years; agricultural production loan deposits authorized under the provisions of K.S.A. 2011 Supp. 75-4268 through 75-4274, and amendments thereto, shall not exceed a period of eight years and housing loan deposits authorized under K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto, shall not exceed a period of five years or 20 years, as applicable pursuant to K.S.A. 2011 Supp. 75-4279, and amendments thereto.

(h) Investments in securities under paragraph (1) of subsection (a) shall be limited to securities which do not have any more interest rate risk than do direct United States government obligations of similar maturities. For purposes of this subsection, "interest rate risk" means market value changes due to changes in current interest rates.

(i) The director of investments shall not invest state moneys eligible for investment under subsection (a), in the municipal investment pool fund, created under K.S.A. 12-1677a, and amendments thereto.

(j) The director of investments shall not invest moneys in the pooled money investment portfolio in derivatives. As used in this subsection, "derivatives" means a financial contract whose value depends on the value of an underlying asset or index of asset values.

(k) Moneys and investments in the pooled money investment portfolio shall be invested and reinvested by the director of investments in accordance with investment policies developed, approved, published and updated on an annual basis by the board. Such investment policies shall include at a minimum guidelines which identify credit standards, eligible instruments, allowable maturity ranges, methods for valuing the portfolio, calculating earnings and yields and limits on portfolio concentration for each type of investment. Any changes in such investment policies shall be approved by the pooled money investment board. Such investment policies may specify the contents of reports, methods of crediting funds and accounts and other operating procedures.

(l) The board shall adopt rules and regulations to establish an overall percentage

limitation on the investment of moneys in investments authorized under paragraph (3) of subsection (a), and within such authorized investment, the board shall establish a percentage limitation on the investment in any single business entity.

Sec. 2. K.S.A. 2011 Supp. 75-4277 is hereby amended to read as follows: 75-4277. As used in K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto:

(a) "Housing loan deposit" means an investment account placed by the director of investments under the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated with an eligible lending institution for the purpose of carrying out the intent of this act;

(b) "housing loan deposit loan package" means the forms provided by the state treasurer for the purpose of applying for a housing loan deposit;

(c) "eligible lending institution" means a depository bank, as defined under K.S.A. 75-4201, and amendments thereto, that agrees to participate in the Kansas housing loan deposit program and is eligible to be a depository of state funds;

(d) "eligible developer borrower" means any person, firm or corporation building new houses or not-for-profit adult care homes or rehabilitating existing houses; ~~and~~ or not-for-profit adult care homes;

(e) "house" means a single-family or multi-family dwelling that initially sells or is appraised at or below the average area purchase price safe harbor for the state of Kansas as established by the state treasurer through rules and regulations based on the requirements of section 143(e) of the internal revenue code of 1986 for homes that are eligible for mortgage revenue bonds; and

(f) "adult care home" means the same as in K.S.A. 39-923, and amendments thereto.

Sec. 3. K.S.A. 2011 Supp. 75-4278 is hereby amended to read as follows: 75-4278.

(a) The state treasurer is hereby authorized to administer the Kansas housing loan deposit program. Such program shall be for the purpose of providing incentives for the making of housing and adult care homes construction development loans. The state treasurer shall promulgate rules and regulations to carry out the provisions of K.S.A. 2011 Supp. 75-4276 through 75-4282, and amendments thereto.

(b) The state treasurer shall submit an annual report outlining the status of the program to the governor and the legislature.

Sec. 4. K.S.A. 2011 Supp. 75-4279 is hereby amended to read as follows: 75-4279.

(a) The state treasurer is hereby authorized to disseminate information and to provide housing loan deposit loan packages to the lending institutions eligible for participation in this act.

(b) The housing loan deposit loan package shall be completed by the borrower before being forwarded to the lending institution for consideration.

(c) (1) An eligible lending institution that agrees to receive a housing loan deposit shall accept and review applications for loans from eligible developer borrowers. The lending institution shall apply all usual lending standards to determine the credit worthiness of eligible developer borrowers. The total aggregate amount of housing loan deposit loans under this program shall not exceed \$60,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) No more than \$2,000,000 shall be outstanding at any one time to any developer borrower.

(3) No loan for a house shall be amortized for a period of more than five years.

(4) No loan for an adult care home shall be amortized for a period of more than 20 years.

(5) Loans for adult care homes shall not exceed 40% of the aggregate amount available under subsection (c)(1), except such limitation shall not apply to loans for assisted living, residential health care or home plus facilities. Loans for assisted living, residential health care, home plus facilities and other adult care homes shall not exceed 90% of the aggregate amount available.

(d) An eligible developer borrower shall certify on its loan application that the reduced rate loan will be used exclusively for the expenses involved in building houses.

(e) The eligible lending institution may approve or reject a housing loan deposit loan package based on the lending institution's evaluation of the eligible developer borrowers included in the package, the amount of the individual loan in the package and other appropriate considerations.

(f) The eligible lending institution shall forward to the state treasurer, an approved housing loan deposit loan package, in the form and manner prescribed and approved by the state treasurer. The package shall include information regarding the amount of the loan requested by each eligible developer borrower and such other information regarding each eligible developer borrower the state treasurer requires, including a certification by the applicant that such applicant is an eligible developer borrower.

(g) From July 1, 2008, through December 31, 2010, 50% of the total aggregate amount available under subsection (c)(1), shall be made available for housing loans to eligible developer borrowers building houses in the city of Chanute, Coffeyville, Erie, Fredonia, Greensburg, Independence, Iola, Neodesha, or Osawatomie, Kansas, or within one mile of the city limits of any such city.

Sec. 5. K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 are hereby repealed.";

By renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all following "concerning"; by striking all in lines 2 and 3 and inserting "the Kansas housing loan deposit program; relating to the building or rehabilitation of adult care homes; amending K.S.A. 2011 Supp. 75-4209, 75-4277, 75-4278 and 75-4279 and repealing the existing sections.";

And your committee on conference recommends the adoption of this report.

MARC RHOADES

KASHA KELLEY

BILL FEUERBORN

Conferees on part of House

CAROLYN MCGINN

JOHN VRATIL

LAURA KELLY

Conferees on part of Senate

On motion of Rep. Rhoades, the conference committee report on **H Sub SB 40** was adopted.

On roll call, the vote was: Yeas 87; Nays 24; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, Meier, Meigs, Mesa, Moxley, O'Neal, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Ruiz, Ryckman, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Aurand, Brown, Brunk, DeGraaf, Denning, Donohoe, Garber, Goodman, Gordon, Grosserode, Hildabrand, Howell, Kelley, Kinzer, McLeland, O'Brien, O'Hara, Osterman, Peck, Rubin, Scapa, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 155** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 6, and inserting the following:

"New Section 1. (a) The state board of education shall conduct a study of, or contract for the study of, the implementation of requiring each district to maintain an individual career plan of study for each pupil enrolled in the district in grades eight through 12. On or before January 15, 2014, the state board of education shall prepare and submit a report to the legislature on the findings of such study and whether the state board of education intends to initiate implementing such requirements.

(b) For purposes of this section, the term "individual career plan of study" means a proposed individualized coherent sequence of classes focused on a career pathway that will enable seamless transition into a postsecondary program.

(c) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 2. (a) The state board of regents shall establish the career technical education incentive program.

(b) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to those school districts who have at least one pupil who graduates from a high school in the school district having obtained an industry-recognized credential in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district. Such school districts shall receive an

award in an amount equal to \$1,000 for each such pupil graduating from a high school in the school district. Such awards shall be paid at such times as established by the state board of regents. Such awards shall be expended for the expenses incurred by the board of education of the school district under subsection (b)(2), and any moneys remaining after distribution in accordance with subsection (b)(2) may be expended as determined by the board of education of a school district towards operating the school from which the pupils graduated. Upon receipt of such award and application by a pupil who has not attained a high school diploma and is currently or was previously enrolled in a career technical education course or program in the school district, the board of education of each school district shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program which such pupil is currently or was previously enrolled as determined by the board of education. No board of education shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a pupil if such pupil fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) The state board of education shall certify to the state board of regents and the director of accounts and reports the amounts due to each school district pursuant to this subsection. Such certification, and the amount payable, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the district treasurer of each school district entitled to payment of such award amount, pursuant to vouchers approved by the state board of regents. Upon receipt of such warrant, each district treasurer shall deposit the amount of such award in the general fund of the school district.

(c) (1) Each school year, to the extent there are sufficient moneys appropriated to the career technical education incentive program, the state board of regents shall make an award to a community college, technical college or institute of technology who has at least one secondary student who is currently or was previously admitted to a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and such secondary student is regularly enrolled in and attending a private secondary school. The purpose of such award is to reimburse such community college, technical college or institute of technology for paying $\frac{1}{2}$ of the costs of an industry-recognized credential assessment in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the secondary student was admitted into such career technical education course or program. Upon receipt of such award and application by a secondary student who is currently or was previously enrolled in a career technical education course or program in accordance with subsection (c) of K.S.A. 72-4417, and amendments thereto, and is regularly enrolled in and attending a private secondary school, the governing body of the community college, technical college or the institute of technology which admitted such secondary student shall pay $\frac{1}{2}$ of the costs of the industry-recognized credential assessment specified in such application in an amount not to exceed \$1,000. Such industry-recognized credential assessment shall be related to the career technical education course or program in which such secondary student is

currently or was previously enrolled as determined by such governing body of a community college, technical college or institute of technology. No governing body of a community college, technical college or institute of technology shall be required to pay $\frac{1}{2}$ of the cost of three or more industry-recognized credential assessments for the same or substantially the same industry-recognized credential for a secondary student if such secondary student fails to earn the industry-recognized credential within two attempts of taking the industry-recognized credential assessment.

(2) Each governing body of a community college, technical college or institute of technology shall certify to the state board of regents the amount of any payments such community college, technical college or institute of technology will pay based on applications submitted by students pursuant to paragraph (1). The certification shall be on a form prescribed and furnished by the state board of regents, shall contain such information as the state board of regents shall require and shall be filed at the time specified by the state board of regents.

(3) In each school year, each governing body of a community college, technical college or institute of technology is entitled to receive from appropriations for the career technical education incentive program an amount which is equal to the amount certified to the state board of regents in accordance with the provisions of paragraph (2). The state board of regents shall certify to the director of accounts and reports the amount due each governing body of a community college, technical college or institute of technology. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each governing body of a community college, technical college or institute of technology entitled to payment under this subsection upon vouchers approved by the state board of regents.

(4) Moneys received by a state board of regents under this subsection shall be deposited in the postsecondary technical education fund of each community college and at Washburn university for the Washburn institute of technology or the general operating fund in the technical college in accordance with K.S.A. 2011 Supp. 71-1808, and amendments thereto, and shall be considered reimbursements to the community college, technical college or institute of technology.

(d) Each school year, at such time as agreed to by the secretary of labor, the president of the state board of regents and the commissioner of education, the secretary shall provide the state board of regents and the state board of education with a list of those occupations in highest need of additional skilled employees. If the occupations identified in such list are not substantially the same as those occupations identified in the list from the prior year, reasonable notice of such changes shall be provided to school districts, community colleges, technical colleges and the institute of technology.

(e) The state board of regents and the state board of education, jointly, may adopt such rules and regulations necessary to implement and carry out the provisions of this section.

New Sec. 3. (a) Provided a particular career technical education program is not offered in a particular service area, the governing board of a community college, technical college or institute of technology located outside such service area, in coordination with one or more school districts located within such service area, may apply to the state board of regents for permission to establish such career technical education program to be taught at a location in such service area. An application for such permission shall be submitted in such form and manner as prescribed by the state

board of regents. In reviewing any such application, the state board of regents shall consider the ability and willingness of any postsecondary educational institution located in such service area to offer such career technical education program. If no such career technical education program is offered in such service area and no postsecondary educational institution located in such service area intends to offer such career technical education program, then the board of regents may approve such application to establish such career technical education program. Upon approval of its application by the state board of regents, the governing board of a community college, technical college or institute of technology may purchase or otherwise acquire land or land and improvements in such service area for the purpose of providing such career technical educational program.

(b) The state board of regents may adopt such rules and regulations necessary to administer the provisions of this section.

(c) For purposes of this section:

(1) The terms "career technical education," "community college," "institute of technology" and "technical college" have the same meaning as such terms are defined in K.S.A. 72-4412, and amendments thereto.

(2) "Postsecondary educational institution" has the same meaning as such term is defined in K.S.A. 74-3201b, and amendments thereto.

(3) "Service area" means: (A) For community colleges, a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents; (B) for technical colleges, the territory set forth in the college's plan submitted to the board of regents pursuant to K.S.A. 72-4470a, and amendments thereto; and (C) for the institute of technology, Shawnee county.

(d) The provisions of this section shall take effect and be in force from and after July 1, 2013.

New Sec. 4. (a) The state board of regents shall initiate the development of a statewide articulation agreement on career technical education programs among the high schools, community colleges, technical colleges and the institute of technology.

(b) For the purposes of this section, the term "articulation agreement" means an agreement entered into to provide for the transferability of substantially equivalent courses of study or programs.

New Sec. 5. On or before January 15, 2014, the state board of education shall prepare a report to the legislature proposing a strategy and proposed plan for providing state aid to career technical education programs or courses in school districts. In preparing such report, the state board of education shall consider the funding scheme under the postsecondary tiered technical education state aid act. The report shall include, but not be limited to, recommendations for legislative changes and estimates of the cost to the state of implementing such changes.

New Sec. 6. (a) If a pupil submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the pupil should not have been eligible for free meals, the district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the district and the general fund budget of the district based on the

adjusted enrollment of the district excluding the at-risk pupil weighting and high density at-risk pupil weighting, if any, assigned to such pupil.

(b) If a pupil becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such pupil shall not be excluded from the calculation of the adjusted enrollment of the district if the district forwards a copy of such documentation to the state board no later than January 14 of the school year.

(c) This section shall be part of and supplemental to the school district finance and quality performance act. This section shall be applicable to school year 2012-2013 and each school year thereafter.

Sec. 7. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby amended to read as follows: 71-201. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of regents, shall have custody of and be responsible for the property of the community college and shall be responsible for the operation, management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of regents. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of regents is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.

(2) To sue and be sued.

(3) To determine the educational program of the college subject to prior approval thereof as provided in this act and to grant certificates of completion of courses or curriculum.

(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties and to fix their compensation and terms of employment. No community college teacher shall be required to meet licensure requirements greater than those required in the state educational institutions.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government or governmental agency, or from any other public or private body, or from any other source, grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, lease-purchase, condemnation or otherwise, and to own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for community college purposes. Any lease-purchase agreement entered into under authority of this subsection shall be subject to the conditions set forth in K.S.A. 10-1116c, and amendments thereto. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease or lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease or lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease or lease-purchase agreement and assignment thereof are subject to change or termination by the legislature. To the extent that the provisions of the cash-basis and budget laws conflict with this subsection in such a manner as to prevent the intention of this subsection from being made effective, the provisions of this subsection shall control. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether real, personal, or mixed, which is owned or controlled by the community college. Any such agreement may specify the purposes for which the property may be used, require that the property be maintained and operated by the lessee, and may contain such restrictions or limitations on the use of the property, be entered into for such period of time, and include such other terms and conditions as the board of trustees determines to be necessary and proper. Every such agreement shall be subject to change or termination at any time by the legislature. Any assignment of rights under any such agreement shall be subject to approval by the board of trustees and shall contain a citation of this section and a recitation that the lease agreement and assignment of rights thereunder are subject to change or termination by the legislature.

(11) To determine that any property owned by the college is no longer necessary for college purposes and to dispose of the same in such manner and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26 of the Kansas Statutes Annotated, and amendments thereto.

(13) To make and promulgate such rules and regulations, not inconsistent with the provisions of law or with rules and regulations of the state board of regents, that are necessary and proper for the administration and operation of the community college, and for the conduct of the business of the board of trustees.

(14) To exercise all other powers not inconsistent with the provisions of law or with the rules and regulations of the state board of regents which may be reasonably necessary or incidental to the establishment, maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of trustees for the balance of the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the community college district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than 15 days after such publication.

(16) To contract with one or more agencies, either public or private, whether

located within or outside the community college district or whether located within or outside the state of Kansas for the conduct by any such agencies of education for students of the community college, and to provide for the payment to any such agencies for their contracted educational services from any funds or moneys of the community college, including funds or moneys received from student tuition and fees, funds received from the state of Kansas or the United States for education, or taxes collected under K.S.A. 71-204, and amendments thereto. Any contract made under this subsection with an institution of another state shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash fund in an amount not to exceed \$1,000, and to designate in such resolution an employee to maintain such petty cash fund. The employee designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end of the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than \$90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than \$90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If any increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection,

such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

(d) ~~(1) Except as provided in section 3, and amendments thereto, the board of trustees of a community college may purchase or otherwise acquire land or land and improvements within: (1)-(A) The community college district; or (2)-(B) the service area of the community college. Nothing in this subsection shall be construed or operate in any manner to require a board of trustees to sell, convey or otherwise dispose of land or land and improvements located outside the community college district or the service area of the community college and owned or being acquired by the community college on the effective date of this act.~~

~~(2) For the purposes of this subsection, "service area" means a designated geographic area of the state established pursuant to agreement of the presidents of the community colleges and adopted in policy by the state board of regents.~~

Sec. 8. K.S.A. 72-4417 is hereby amended to read as follows: 72-4417. (a) Students admitted to a ~~vocational-career technical~~ education course or program which is conducted by the school district in which the student is enrolled may be charged fees but shall not be charged tuition.

(b) Postsecondary students admitted to a ~~vocational-career technical~~ education course or program shall pay tuition and fees as provided by laws applicable thereto.

~~(c) (1) Except as provided in paragraph (2) of this subsection, Secondary students admitted to a vocational-career technical education course or program which is conducted by a community college shall pay tuition and fees as provided by laws applicable to community colleges and the provisions of this section shall not apply thereto, nor shall any provisions of this act which are inconsistent with laws relating to community college tuition and fees apply to community colleges, technical college or institute of technology may be charged fees, but shall not be charged tuition.~~

~~(2) Students admitted to a vocational education course or program under the provision of K.S.A. 71-1706 and which is conducted by a community college which is consolidated with an area vocational school or area vocational-technical school may be charged fees but tuition shall be paid as provided in paragraph (2) of subsection (d). Nothing in this act shall be construed to amend, repeal or in any way change laws relating to community college student or out-district tuition. Each school year, to the extent there are sufficient moneys appropriated to the career technical education secondary program, the state board of regents shall distribute state funds to community colleges, technical colleges and the Washburn institute of technology for the cost associated with secondary students enrolled in postsecondary career technical education programs as determined by the state board of regents.~~

~~(3) For purposes of this subsection:~~

~~(A) "Community college" means any community college established in accordance with chapter 71 of the Kansas Statutes Annotated, and amendments thereto.~~

~~(B) "Fees" means those charges assessed against a student by a community college.~~

technical college or the institute of technology for student services, such as health clinics, athletic activities and technology services, or for books, supplies or other materials necessary for a particular course or program, the expense of which is not covered by tuition.

(C) "Institute of technology" means the institute of technology at Washburn university.

(D) "Secondary student" means a pupil who: (i) Has not attained a high school diploma or a general educational development (GED) credential; and (ii) is regularly enrolled in and attending a public or private secondary school.

(E) "Technical college" means a technical college designated pursuant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4477 or 72-4477a, and amendments thereto.

(F) "Tuition" means those charges assessed against a student by a community college, technical college or the institute of technology on a per credit hour, per course or per term basis, and that are charged to cover the general expense of providing instructional services.

(d) Students admitted to a vocational education course or program which is not conducted by the school district in which the student is enrolled shall be charged tuition and fees determined in accordance with subsection (e), subject however to the following: (1) Tuition or fees, or tuition and fees may be paid for the student in accordance with any agreement made under K.S.A. 72-4421, and amendments thereto; or

(2) if tuition of a student is not paid under ~~provision-paragraph~~ (1) of this subsection, the tuition of the student shall be paid by the school district in which the student is enrolled. No school district shall pay tuition for a student who is a postsecondary student, and no school district shall be required to pay tuition or fees of a student who is eligible to have tuition and fees for the course or training the student selects paid by any state or federal agency from moneys, funds or appropriations made available under any one or more state or federal programs. Any state agency administering any one or more such programs shall pay such tuition and fees upon proper application by a student therefor.

(e) All tuition and fees charged for ~~vocational-career technical~~ education by any board shall be in such amounts as are authorized by rules and regulations adopted by the state board which shall establish general guidelines for tuition and fee schedules in ~~vocational-career technical~~ education courses and programs, except that tuition of postsecondary students shall be fixed in accordance with K.S.A. 72-4433, and amendments thereto. The particular tuition and fee schedule of every ~~vocational-career technical~~ education program shall be subject to annual approval of the state board. A current complete schedule of tuition and fees for each ~~vocational-career technical~~ education course and program of each board as approved by the state board shall be maintained on file in the office of the state board, and shall be open for public inspection at any reasonable time.

Sec. 9. K.S.A. 72-4419 is hereby amended to read as follows: 72-4419. The school district in which a student is enrolled shall pay the tuition of such student to attend any ~~vocational-career technical~~ education course or program when such attendance is approved as provided in K.S.A. 72-4418, and amendments thereto, from its vocational education fund, except that any board receiving funds under an agreement under K.S.A. 72-4421, and amendments thereto, shall pay such tuition when the student is enrolled in

a school district which is a party to the agreement if the agreement so provides. In the case of a school district which is not a party to an agreement under K.S.A. 72-4421, and amendments thereto, should there be insufficient or no moneys in the vocational-career technical education fund to pay such tuition, the board of education shall transfer from the general fund to the vocational-career technical education fund such amount as will satisfy the insufficiency.

Sec. 10. K.S.A. 2011 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) All technical college boards shall establish and maintain a plan for a governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2011 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) On the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges. Any amendments to the plan shall be submitted to the state board of regents for approval.

(c) In addition to such other powers expressly granted by law and subject to the provisions of subsection (b), the governing board shall have the power to:

- (1) Determine the career technical and general education courses of instruction that will comprise the associate of applied science degree programs of the college;
- (2) establish the requirements for satisfactory completion of the associate of applied science degree programs of the college;
- (3) confer the associate of applied science degree upon students who successfully complete an associate of applied science degree program of the college and to award a certificate or diploma to students who successfully complete a career technical education program of the college;
- (4) appoint teaching staff and fix and determine teacher qualifications, duties and compensation. No teacher appointed to teach courses comprising the associate of applied science degree programs of the college shall be required to meet licensure requirements greater than those required in the state educational institutions;
- (5) have custody of, and be responsible for, the property of the college and be responsible for the operation, management and control of the college;
- (6) select a chairperson and such other officers as it deems desirable, from its

membership;

- (7) sue and be sued;
- (8) appoint and fix the compensation and term of office of a president or chief administrative officer of the college;
- (9) fix and determine, within state adopted standards, all other employees' qualifications, duties, compensation and all other items and conditions of employment;
- (10) enter into contracts;
- (11) accept any gifts, grants or donations;
- (12) acquire and dispose of real or personal property;
- (13) enter into lease agreements as lessor of any property owned or controlled by the college;
- (14) adopt any rules and regulations, not inconsistent with any law or any rules and regulations of the state board of regents, which are necessary for the administration and operation of the college or for the conduct of business of the governing board;
- (15) contract with one or more agencies, either public or private, whether located within or outside the territory of the college or whether located within or outside the state of Kansas, for the conduct by any such agency of academic or career technical education for students of the college and to provide for the payment to any such agency for the contracted educational services from any funds or moneys of the college, including funds or moneys received from student tuition and fees;
- (16) appoint as its resident agent for the purpose of service of process, either the president of the technical college or the chairperson of the governing board, or both;
- (17) take any other action, not inconsistent with any law or any rules and regulations of the state board of regents, which is necessary or incidental to the establishment, operation and maintenance of the college;
- (18) issue bonds for capital improvement projects, enter into bond covenants and take such ancillary action as the governing board approves, relating thereto, except that such bonds shall not be secured by a pledge of any property tax revenues of the technical college;
- (19) enter into agreements with counties relating to funding for capital improvement projects at technical colleges; ~~and~~
- (20) fix different rates per hour of tuition, fees and charges for the different postsecondary programs administered by such board; ~~and~~
- (21) to acquire by lease-purchase any property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for technical college purposes. The term of any lease-purchase agreement entered into under authority of this subsection may be for not to exceed 10 years. Such lease-purchase agreement may provide for annual or other payment of rent or rental fees and may obligate the technical college to payment of maintenance or other expenses. Any lease-purchase agreement entered into under authority of this subsection shall be subject to change or termination at any time by the legislature. Any assignment of rights in any lease-purchase made under this subsection shall contain a citation of this section and a recitation that the lease-purchase agreement and assignment thereof are subject to change or termination by the legislature.

Sec. 11. K.S.A. 2011 Supp. 72-6455 is hereby amended to read as follows: 72-6455. (a) ~~As used in this section, school district means any district having: (1) An enrollment of at least 50% at-risk pupils; or (2) an enrollment of at least 35.1% at-risk~~

pupils and an enrollment density of at least 212.1 pupils per square mile.

~~(b) The high density at-risk pupil weighting of each school district shall be determined by the state board by multiplying the number of at-risk pupils by .10. The product is the high density at-risk pupil weighting of the district.~~

~~(c) If a school district becomes ineligible for high density at-risk pupil weighting because enrollment of at-risk pupils in the district falls below the requirements of subsection (a), the high density at-risk pupil weighting of the district shall be the greater of: (1) The high density at-risk pupil weighting in the current school year; (2) the high density at-risk pupil weighting in the prior school year; or (3) the average of the high density at-risk pupil weighting in the current school year and the preceding two school years.~~

~~The provisions of this subsection paragraph shall expire on June 30, 2011.~~

The high density at-risk pupil weighting of each school district shall be determined by the state board as follows:

(A) Except as provided in subparagraph (C), if the district has an enrollment of at least 35%, but less than 50% at-risk pupils, the state board shall:

(i) Subtract 35% from the percentage of at-risk enrollment in the district;

(ii) multiply the amount determined under clause (i) by .7; and

(iii) multiply the number of at-risk pupils enrolled in the district by the product determined under clause (ii). The resulting product is the high density at-risk pupil weighting of the district.

(B) If the district has an enrollment of 50% or more at-risk pupils, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

(C) If the district has an enrollment of at least 35.1% at-risk pupils and an enrollment density of at least 212.1 pupils per square mile, the state board shall multiply the number of at-risk pupils by .105. The resulting product is the high density at-risk pupil weighting of the district.

Sec. 12. K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 72-4470a, 72-6455 and 72-6459 are hereby repealed.

Sec. 13. From and after July 1, 2013, K.S.A. 2011 Supp. 71-201 is hereby repealed.";

And by renumbering the remaining sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period, and inserting "education; amending K.S.A. 72-4417 and 72-4419 and K.S.A. 2011 Supp. 71-201, 72-4470a and 72-6455 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 72-6459";

And your committee on conference recommends the adoption of this report.

CLAY AURAND
STEVE HUEBERT
VALDENIA C. WINN

Conferees on part of House

JEAN SCHODORF
JOHN VRATIL
ANTHONY HENSLEY

Conferees on part of Senate

On motion of Rep. Aurand, the conference committee report on **SB 155** was adopted.

On roll call, the vote was: Yeas 111; Nays 0; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Shultz, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Victors, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: None.

Present but not voting: None.

Absent or not voting: Bowers, Collins, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 416** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill, as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 14 through 36;

By striking all on pages 2 through 36;

On page 37, by striking all in lines 1 through 10 and inserting the following:

"New Section 1. (a) Subject to the provisions of subsection (b), an arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce if such restraint is reasonable in view of all of the facts and circumstances of the particular case and does not contravene public welfare.

(b) The legislature hereby finds and declares that prior to the Supreme Court of Kansas decision entered May 4, 2012, in the case of *O'Brien v. Leegin Creative Leather Products, Inc.*, No. 101,000, 2012 WL 1563976, the Supreme Court of Kansas had accurately interpreted the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations have been consistent with the intent of the Kansas Legislature in enacting the Kansas restraint of trade act, K.S.A. 50-101 through 50-162, and amendments thereto, and such interpretations made prior to May 4, 2012, should continue to be considered viable precedent in the state of Kansas.

(c) If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

(d) This section shall be a part of and supplemental to the Kansas restraint of trade

act, K.S.A. 50-101 through 50-162, and amendments thereto.

(e) The provisions of this section shall expire on June 30, 2013.

Sec. 2. K.S.A. 50-101 is hereby amended to read as follows: 50-101. Except as provided in section 1, and amendments thereto, a trust is a combination of capital, skill, or acts, by two or more persons, for either, any or all of the following purposes:

First. To create or carry out restrictions in trade or commerce, or aids to commerce, or to carry out restrictions in the full and free pursuit of any business authorized or permitted by the laws of this state.

Second. To increase or reduce the price of merchandise, produce or commodities, or to control the cost or rates of insurance.

Third. To prevent competition in the manufacture, making, transportation, sale or purchase of merchandise, produce or commodities, or to prevent competition in aids to commerce.

Fourth. To fix any standard or figure, whereby such person's price to the public shall be, in any manner, controlled or established, any article or commodity of merchandise, produce or commerce intended for sale, use or consumption in this state.

Fifth. To make or enter into, or execute or carry out, any contract, obligation or agreement of any kind or description by which such person shall: (a) Bind or have to bind themselves not to sell, manufacture, dispose of or transport any article or commodity, or article of trade, use, merchandise, commerce or consumption below a common standard figure;

(b) agree in any manner to keep the price of such article, commodity or transportation at a fixed or graded figure;

(c) in any manner establish or settle the price of any article or commodity or transportation between them or themselves and others to preclude a free and unrestricted competition among themselves or others in transportation, sale or manufacture of any such article or commodity; or

(d) agree to pool, combine or unite any interest they may have in connection with the manufacture, sale or transportation of any such article or commodity, that such person's price in any manner is affected. Any such combinations are hereby declared to be against public policy, unlawful and void.

Sec. 3. K.S.A. 50-112 is hereby amended to read as follows: 50-112. Except as provided in section 1, and amendments thereto, all arrangements, contracts, agreements, trusts, or combinations between persons made with a view or which tend to prevent full and free competition in the importation, transportation or sale of articles imported into this state, or in the product, manufacture or sale of articles of domestic growth or product of domestic raw material, or for the loan or use of money, or to fix attorney or doctor fees, and all arrangements, contracts, agreements, trusts or combinations between persons, designed or which tend to advance, reduce or control the price or the cost to the producer or to the consumer of any such products or articles, or to control the cost or rate of insurance, or which tend to advance or control the rate of interest for the loan or use of moneys to the borrower, or any other services, are hereby declared to be against public policy, unlawful and void.

Sec. 4. K.S.A. 50-101 and 50-112 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.";

ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101 and 50-112 and repealing the existing sections.;

And your committee on conference recommends the adoption of this report.

LANCE KINZER

JOE PATTON

JANICE L. PAULS

Conferees on part of House

SUSAN WAGLE

JULIA LYNN

Conferees on part of Senate

On motion of Rep. Kinzer, the conference committee report on **H Sub for SB 416** was adopted.

On roll call, the vote was: Yeas 91; Nays 18; Present but not voting: 1; Absent or not voting: 15.

Yeas: Alford, Arpke, Aurand, Bethell, Billinger, Boman, Brookens, Brown, Bruchman, Brunk, Burgess, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, DeGraaf, Denning, Donohoe, Fawcett, Feuerborn, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hedke, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Siegfried, Sloan, Smith, Suellentrop, Swanson, Trimmer, Tyson, Weber, Wetta, Williams, K. Wolf, Worley.

Nays: Ballard, Bollier, Burroughs, Davis, Dillmore, Finney, Flaharty, Frownfelter, S. Gatewood, Henderson, Kuether, Loganbill, Ruiz, Shultz, Tietze, Victors, Winn, Wolfe Moore.

Present but not voting: Spalding.

Absent or not voting: Bowers, Collins, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Slattery, Vickrey, Ward, B. Wolf.

The House stood at ease until the sound of the gavel.

Speaker O'Neal called the House to order.

On motion of Rep. Siegfried, the House recessed until 5:00 p.m.

—————
EVENING SESSION
—————

The House met pursuant to recess with Speaker O'Neal in the chair.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 155**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Siegfried, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2382; S Sub for HB 2597**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2597** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2597, as follows:

On page 2, in line 38, after "(8)" by inserting "(A)"; in line 41, after the period by inserting "(B)";

On page 3, in line 3, by striking all after the period; by striking all in lines 4 through 6; in line 7, by striking all before "Each" and inserting "(C) (i)"; in line 15, by striking all after the period; by striking all in lines 16 through 21; in line 22, before "For" by inserting "(ii)"; in line 27, after the period by inserting "(iii)"; in line 31, after the period, by inserting the following:

"(D) The secretary and the state corporation commission shall enter into a memorandum of agreement for the purposes of:

- (i) Administering the land-spreading application and approval process;
- (ii) monitoring compliance; and
- (iii) establishing mechanisms for enforcement and remedial actions.

(E) On or before January 1, 2014, the secretary, in coordination with the state corporation commission, shall adopt rules and regulation governing land-spreading of waste generated by drilling oil and gas wells. In developing such rules and regulations, the secretary and the state corporation commission shall seek advice and comments from groundwater management districts and other groups or persons knowledgeable and experienced in areas related to this paragraph.

(F)";

Also on page 3, in line 32, by striking all after "report"; in line 33, by striking all before the second "to"; in line 36, after the period by inserting "Such report shall include, but not be limited to, information concerning the implementation and status of land-spreading procedures and the costs associated with the regulation of land-spreading pursuant to this paragraph.

(G) The provisions of this paragraph shall expire on July 1, 2015.";

On page 4, following line 6, by inserting:

"New Sec. 2. (a) The board of county commissioners of each county shall establish a county oil and gas valuation depletion trust fund if the county is to receive moneys from the oil and gas valuation depletion trust fund created under the provisions of K.S.A. 2011 Supp. 79-4231, and amendments thereto. The county treasurer shall be responsible for the administration of such fund.

(b) Upon receipt of an authorization for distribution of county oil and gas valuation

depletion trust fund moneys pursuant to K.S.A. 2011 Supp. 79-4231, and amendments thereto, the county treasurer shall release 20% of the moneys credited to such county's trust account to the county general fund for expenditure as directed by the board.

(c) Moneys credited to the county oil and gas valuation depletion trust fund shall be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In making the budgets of such county, the amounts credited to, and the amount on hand in, such fund and the amount expended therefrom shall be shown thereon for the information of the taxpayers of such county. Moneys in such fund may be invested in accordance with the provisions of K.S.A. 10-131, and amendments thereto, with interest thereon credited to such fund.

Sec. 3. K.S.A. 2011 Supp. 19-101a is hereby amended to read as follows: 19-101a.

(a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74th congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 to 12-195, inclusive, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy *ad valorem* taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-202, and amendments thereto.

(24) Counties may not exempt from or effect changes in subsection (b) of K.S.A. 19-204, and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and

amendments thereto.

(30) Counties may not exempt from or effect changes in the wireless enhanced 911 act, in the VoIP enhanced 911 act or in the provisions of K.S.A. 12-5301 through 12-5308, and amendments thereto.

(31) Counties may not exempt from or effect changes in K.S.A. 2011 Supp. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) Counties may not exempt from or effect changes in section 2, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.

Sec. 4. K.S.A. 2011 Supp. 79-4231 is hereby amended to read as follows: 79-4231.

(a) There is hereby created in the state treasury the oil and gas valuation depletion trust fund. The director of taxation shall administer the oil and gas valuation depletion trust fund. All amounts credited to the oil and gas valuation depletion trust fund pursuant to the provisions of K.S.A. 79-4227, and amendments thereto, less the administration fee imposed under subsection (c), shall be credited to a separate trust account which shall be established within such fund for each county which in ~~fiscal year 2005~~ or any fiscal

year thereafter had \$100,000 or more in receipts of the excise tax upon the severance and production of oil and gas. Each county's trust account shall be credited in the proportion that the amount of oil and gas valuation depletion trust fund receipts collected from that county bears to the total amount of moneys credited to the oil and gas valuation depletion trust fund pursuant to K.S.A. 79-4227, and amendments thereto. Commencing July 1, 2008 2012, and thereafter on an annual basis, ~~such moneys shall remain credited in such account in trust for such county for distributions pursuant to this section~~ the director of taxation shall certify to the director of accounts and reports the amount due the county from the county's oil and gas depletion trust account on October 1 based on all amounts credited thereto, and the director of accounts and reports shall draw a warrant upon the state treasurer in favor of each such county for the amount credited to such county's trust account. Upon receipt of such warrant, the treasurer of the county shall credit the same to the oil and gas valuation depletion trust fund of the county established in section 2, and amendments thereto. Except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection.

(b) For any tax year that the oil and gas leasehold *ad valorem* valuation of any county, which has a trust account established and maintained in the a county oil and gas valuation depletion trust fund as provided by this section 2, and amendments thereto, is less than 50% of the oil and gas leasehold *ad valorem* valuation of such county for the second succeeding tax year which commences January 1 following the end of the fiscal year in which the county had \$100,000 or more in receipts of the excise tax upon the production of oil and gas and the county had a trust account established in the oil and gas valuation depletion trust fund as provided by this section, as certified by the property valuation division, on or before January 15 of the year following such tax year, the director of taxation shall ~~distribute~~ certify the oil and gas leasehold *ad valorem* valuation amounts for each county and shall authorize the county treasurer to release 20% of the moneys credited to such county's ~~trust account~~ oil and gas valuation depletion trust fund to the county treasurer general fund of such county, except that the director of taxation shall transfer all of the moneys credited to the Wilson county trust account to the Wilson county capital improvement fund in any such tax year until the payment of all costs of financing projects authorized pursuant to K.S.A. 2011 Supp. 74-8961, and amendments thereto, has been completed, and at that time the provisions of this subsection related to distributions to the Wilson county treasurer shall be applicable as provided in this subsection. In any year in which a county's oil and gas leasehold valuation is 50% or more of the oil and gas leasehold valuation of such county for tax year as described in this subsection, such county shall not receive a an authorization for distribution of trust fund moneys pursuant to this section for such tax year. ~~On an annual basis, the director of taxation shall certify to the director of accounts and reports the counties entitled to a distribution pursuant to this section. The director of accounts and reports shall draw warrants on the state treasurer payable to the county treasurer of each county entitled to payment from such county's trust account in the oil and gas valuation depletion trust fund upon vouchers approved by the director of taxation.~~

(c) The director of taxation shall impose and collect an administration fee for the administration of the oil and gas valuation depletion trust fund, this section and the provisions of K.S.A. 2011 Supp. 79-4227, and amendments thereto, equal to 2% of the amount credited to the oil and gas valuation depletion trust fund. The administration fee shall be imposed and collected prior to crediting any amount to any trust account established and maintained for a county in the oil and gas valuation depletion trust fund. All amounts collected for the administration fee shall be transferred from the oil and gas valuation depletion trust fund to the state general fund.

(d) All moneys credited to the oil and gas valuation depletion trust fund upon the effective date of this act shall be distributed to each county not later than 30 days following the effective date of this act for deposit in the county's oil and gas valuation depletion trust fund established pursuant to the provisions of section 2, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 4, in line 7, by striking "65-3407c is" and inserting "19-101a, 65-3407c and 79-4231 are";

On page 1, in the title, in line 1, by striking "solid waste; relating to permit exemptions" and inserting "oil and gas"; in line 2, after "Supp." by inserting "19-101a,"; also in line 2, after "65-3407c" by inserting "and 79-4231"; also in line 2, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RALPH OSTMEYER

CAROLYN MCGINN

MARCI FRANCISCO

Conferees on part of Senate

LARRY R. POWELL

DAN KERSCHEN

JERRY WILLIAMS

Conferees on part of House

On motion of Rep. Powell, the conference committee report on **S Sub for HB 2597** was adopted.

On roll call, the vote was: Yeas 92; Nays 14; Present but not voting: 0; Absent or not voting: 19.

Yeas: Alford, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Brookens, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, DeGraaf, Denning, Fawcett, Feuerborn, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hedke, Henry, Hermanson, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kersch, Kinzer, Kleeb, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Meigs, Mesa, Moxley, O'Brien, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Siegfried, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Arpke, Brown, Dillmore, Donohoe, Finney, Flaharty, S. Gatewood, Gordon, Grosserode, Henderson, Hildabrand, Knox, O'Hara, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Bruchman, Collins, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Schwartz, Seiwert, Shultz, Slattery, Vickrey, Victors, Ward, B. Wolf.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Kleeb, the House concurred in Senate amendments to **S Sub for HB 2382**, AN ACT concerning economic development; concerning the STAR bonds financing act; relating to the provisions regarding STAR bond projects; extending the sunset date; regarding bond interest rates; amending K.S.A. 2011 Supp. 10-1009 and 12-17,179 and repealing the existing sections.

On roll call, the vote was: Yeas 80; Nays 26; Present but not voting: 0; Absent or not voting: 19.

Yeas: Alford, Arpke, Ballard, Bethell, Bollier, Bruchman, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Colloton, Crum, Davis, Dillmore, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Goico, Gonzalez, Gordon, Grange, Grant, Hedke, Henderson, Henry, Hermanson, Hill, Hoffman, C. Holmes, M. Holmes, Huebert, Johnson, Kelly, Kerschen, Kleeb, Kuether, Landwehr, Loganbill, Mah, Mast, McLeland, Meier, Mesa, Moxley, O'Neal, Osterman, Otto, Patton, Pauls, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Schwab, Schwartz, Siegfried, Sloan, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Aurand, Billinger, Boman, Brown, Brunk, DeGraaf, Donohoe, Garber, Goodman, Gregory, Grosserode, Hildabrand, Hineman, Howell, Kelley, Kinzer, Knox, Meigs, O'Brien, O'Hara, Peck, Ryckman, Scapa, Schroeder, Smith, Tyson.

Present but not voting: None.

Absent or not voting: Bowers, Brookens, Collins, Denning, Hayzlett, Kiegerl, Lane, LeDoux, McCray-Miller, Montgomery, Peterson, Roth, Seiwert, Shultz, Slattery, Vickrey, Victors, Ward, B. Wolf.

On motion of Rep. Bethell to concur in Senate amendments to **S Sub for HB 2619**, Rep. Rhoades offered a substitute motion to nonconcur to the Senate amendments and refer to Committee on Appropriations, which was ruled out of order. The question reverted back to the motion to concur, which did not prevail and therefore the bill did not pass.

On roll call, the vote was: Yeas 54; Nays 53; Present but not voting: 0; Absent or not voting: 18.

Yeas: Ballard, Bethell, Bollier, Brookens, Bruchman, Burgess, Burroughs, Carlin, Colloton, Davis, Dillmore, Feuerborn, Finney, Flaharty, Frownfelter, D. Gatewood, S. Gatewood, Gonzalez, Gordon, Grange, Grant, Henderson, Henry, Hill, Hineman, Kelly, Kuether, Loganbill, Mah, Meier, Moxley, Osterman, Otto, Pauls, Phelps, Phillips, Pottorff, Proehl, Rubin, Ruiz, Schroeder, Sloan, Spalding, Swanson, Tietze, Trimmer, Tyson, Weber, Wetta, Williams, Winn, K. Wolf, Wolfe Moore, Worley.

Nays: Alford, Arpke, Aurand, Billinger, Boman, Brown, Brunk, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Fawcett, Garber, Goico, Goodman, Gregory, Hedke, Hermanson, Hildabrand, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kinzer, Kleeb, Knox, Landwehr, Mast, McLeland, Meigs, Mesa, O'Brien, O'Hara, O'Neal, Patton, Peck, Powell, Prescott, Rhoades,

Ryckman, Scapa, Schwab, Schwartz, Siegfroid, Smith, Suellentrop.
Present but not voting: None.

MESSAGE FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 434**.
Announcing adoption of **SCR 1620**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Davis, **SCR 1620**, A concurrent resolution relating to the adjournment of the Senate and House of Representatives for a period during the 2012 regular session of the legislature, was introduced and adopted.

REPORT ON ENGROSSED BILLS

HB 2494, HB 2792 reported correctly engrossed May 20, 2012.
S Sub for HB 2390; HB 2435 reported correctly re-engrossed May 20, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2157; S Sub for Sub HB 2318; HB 2413; Sub HB 2427; HB 2503, HB 2568, HB 2604, HB 2704 reported correctly enrolled, properly signed and presented to the Governor on May 21, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6032 reported correctly enrolled and properly signed on May 21, 2012.

On motion of Rep. Siegfroid, the House adjourned until 10:00 a.m., Friday, June 1, 2012.

Journal of the House

SEVENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, June 1, 2012, 10:00 a.m.

The House met pursuant to **SCR 1620** with Speaker O'Neal in the chair.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today we gather for the last time
as this collective body.
Five months ago we stood here and asked
for Your help through this session.
Thank you for Your guidance, wisdom,
direction and understanding.
For all that was accomplished, we are grateful.
For those things yet to be completed,
we trust You to clear the path for completion.
Today, we pause in silence and in memory
of our friend and colleague, Representative Bob Bethell.
Personally, I thank you for the impact he had on my life...
not to mention the thousands of other lives he touched.
His sudden unexpected passing causes us to
realize just how temporary life really is
and how important it is for us to be careful how we live.
As we look back across the last several weeks,
if we have said hateful things, please forgive us.
If we have been rude to one another, please forgive us.
If we have made getting our way
make us pushy and unbearable, please forgive us.
Help us to be intentional in recognizing that life is short
and that we must show compassion to each other,
display dignity and grace;
and to make each day a challenge
to bring a smile to someone's face.
I pray for each representative as they return to their homes and work.
Be with those who will be campaigning over the summer.
For those who are retiring from this office
or choosing a different path for their future,
thank you for their service --

and be with them in their new adventures.
 Continue to give them wisdom and direction.
 Please be with Rep. Bowers who just had surgery.
 We ask for your healing touch and a speedy recovery.
 All these things I pray in Christ's Name, Amen.

The pledge of allegiance was led by Rep. Lorene Bethell.

COMMUNICATIONS FROM STATE OFFICERS

To all to whom these presents shall come, Greetings:

I, *Kris Kobach*, Secretary of State of the State of Kansas, do hereby certify that Lorene Bethell, Alden, was appointed by the Governor effective June 1, 2012, to the Kansas House of Representatives, One Hundred Thirteenth District, to fill the vacancy created by the death of Robert Bethell.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 1st day June, A.D. 2012.

KRIS KOBACH
Secretary of State

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Siegfried are spread upon the Journal:

I stand before you today for the purpose of honoring our good friend and colleague, Representative Bob Bethell. We are joined by his wife, Lorene, along with his daughter, Aletha, her husband, Todd, and Bob's grandkids, Addison and Zachary Pelham.

It is my privilege now to present them with this certificate on behalf of this body, signed by the Governor and other legislative leaders commemorating him as the 2012 Capitol Statesman. This is awarded for his exemplary leadership and service above partisan politics.

Bob represented the 113th district since 1999, most recently as Chairman of the House Aging and Long-Term Care Committee. He was a graduate of John Brown University, as well as the University of Illinois. Prior to his service in the legislature, he served as a principal, college admissions director, and a nursing home administrator. From 1994 to 1998, Bob served as Mayor of Alden, Kansas. He was also a pastor for the Alden and Raymond Baptist Churches.

He will always be remembered for his "Veggie Tales" lapel pin and Mickey Mouse ties and pins. These were all things he wore to appropriately remind all of us not to take ourselves too seriously. In his spare time he enjoyed restoring antique cars, and had one of the finest collections around. However, that also meant every year Bob seemed to have a new bill relating to antique cars ready to pass around the legislature. It didn't take long for us to suspect he might have had his own motives in doing so, and he was always quick with a wink and a nod to confirm.

Above all though, Bob was a tireless advocate for the elderly, the frail, and the disabled. Bob fought for those who simply couldn't fight for themselves. He was

knowledgeable, thorough, well educated, and relentless. He knew more than anyone when it came to these topics, and never gave up on what he truly believed in.

Through his advocacy, these communities made tremendous gains. The reason for this, in my mind, is that Bob defined statesmanship. Because of this, he was able to accomplish so much in his time here, and I believe its why so many of us will fittingly remember this as his legacy.

We wish you well, my good friend.

MESSAGES FROM THE GOVERNOR

S Sub for HB 2117 approved on May 22, 2012.

Also, **S Sub for HB 2077; S Sub for HB 2157; S Sub HB for 2267; S Sub for Sub HB 2318; HB 2413; Sub HB 2427; HB 2464, HB 2502, HB 2503, HB 2568, HB 2604, HB 2613; Sub HB 2689; HB 2704, S Sub for HB 2730** approved on May 25, 2012.

Also, **HB 2453** approved on May 29, 2012.

Also, **S Sub for HB 2382; HB 2435, HB 2494, HB 2729, HB 2792** approved May 31, 2012.

MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 40**.

The Senate adopts the Conference Committee report on **H Sub for SB 294**.

The Senate adopts the Conference Committee report on **H Sub for SB 425**.

The Senate not adopts the Conference Committee report on **H Sub for SB 114**.

The Senate not adopts the Conference Committee report on **H Sub for SB 416**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Davis, **HR 6034**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

A RESOLUTION congratulating and commending First Assistant Revisor James Arthur Wilson III on his retirement.

WHEREAS, James Arthur Wilson III (Jim) retired from the Revisor of Statutes office this year after 40 years of service with the legislature; and

WHEREAS, Jim is a lifelong Kansan, growing up in Iola, and then living in Manhattan, Lawrence and Topeka; and

WHEREAS, Jim served in the United States Army National Guard for 6 years; and

WHEREAS, Jim earned his Bachelor of Science degree in political science from Kansas State University and his Juris Doctor degree from the University of Kansas; and

WHEREAS, Jim married his wife, Grace, in 1970. They have a son, Matt Wilson, married to Melanie, and two grandchildren, Alex and Vivian; and

WHEREAS, Jim started working for the Revisor of Statutes office in 1972. In 1974 he was promoted to Assistant Revisor, in 1977 he was promoted to Senior Assistant Revisor, and in 1996 he was promoted to First Assistant Revisor; and

WHEREAS, Throughout his career, Jim was an incredible source of information and knowledge to the Revisor's office and the legislature about the history of the legislature and Kansas government. He mentored many young attorneys in the Revisor's office; and

WHEREAS, Jim staffed many different committees over his career in serving the legislature, but was best known for his work with the budget committees. Over his career he drafted hundreds of budget bills and countless provisos; and

WHEREAS, Jim is known for his good natured humor, patience and grace in working long nights on producing the budget bills every session and for his ability to work with legislators in drafting complicated budget bills in a manner that accomplishes their goals. Jim closed every email he sent with a hearty "*Ad astra*": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend, congratulate and thank James Arthur Wilson III for his long and successful career serving the legislature with the Revisor of Statutes office; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to James Arthur Wilson III.

Rep. Davis and members of the House acknowledged the service of Jim Wilson with a standing ovation.

PERSONAL PRIVILEGE

The following remarks of Speaker O'Neal are spread upon the Journal:

All of us have lasting memories of life events that have shaped our lives. For me, one of those lasting memories was having my parents explain to me at an early age that I was adopted; that I was born in inner city Kansas City, that my parents had adopted me and had driven me home to Western Kansas through the historic Kansas flooding of 1951. Another one of my lasting memories of living in the basement farm house of my parents between Healy and Manning, Kansas when I was a toddler was listening to Max Falkenstein call KU basketball games. That's where my dream of attending Kansas University was born.

My parents made me feel special, like I had been hand-picked to be theirs. It was many years later when the full significance of that adoption truly sunk in and I realized how close I had probably come to being just another Missouri abortion statistic. I owe my life and my existence to a mother I would never meet, who had made a courageous decision to choose life for me and a future for me and my wonderful adoptive parents.

And what a life it has been so far. Growing up in a small town and attending a small public school was great. I went on, with the tireless and unselfish help of my parents, to realize my dream of a college education at KU and many many evenings of Max Falkenstein and the Jayhawks. I remember how I felt at Max's retirement and loved reading his book: "A Good Place to Stop".

For the past 28 years I have had the honor of serving in the Kansas House of Representatives. While I had a dream of one day serving in this capacity, I never dreamed that I would serve this long. I have been blessed with wonderful constituents in Hutchinson, where I have lived for 36 years. They have seen fit to send and return me to Topeka 14 times since 1984 and I'm eternally grateful for their support and confidence.

I have served long enough to see our son and daughter born, raised and graduated from college during my tenure. Their pride and support of their dad in this endeavor has sustained me through years of dividing my time between here and home. I've had the privilege of serving with seven Governors. I've tried, unsuccessfully, to add up the total number of legislative colleagues I've served with. Perhaps my classmates from the

session of 1985, Rep. Pottorff and Rep. Holmes can help me with that. We have mourned the loss of current and former colleagues and celebrated births, weddings and achievements of current and former colleagues and their families. In short, we have been a family, with all the drama, challenges, conflicts and solidarity that families have.

I have had the experience of serving in both the majority and the minority and had the privilege of serving as Chairman of the House Judiciary Committee on three separate occasions, a position I have truly cherished and I feel blessed to have had the opportunity to serve in this role, bill bundling jokes, aside! I did my time as Education Chairman and oversaw House Redistricting twice, including a Federal Court appearance in 2002 where I defended the Legislature's Congressional map and an interesting recent two-day experience with Minority Leader Davis in Federal Court where we joined to defend the House redistricting map.

I've experienced three Special Sessions and three fascinating contested House election cases, one of which resulted in having the winner decided by drawing a backgammon chip out of a hat on the House floor. Cindy and I were married over at the Dillon House on April 9, 1999 on what we had thought would be the day after first adjournment. The legislative schedule being ever unpredictable, we, of course, didn't get finished and so we wed during the noon recess, had a lovely reception and I returned to the House floor that afternoon to finish out the day's work in my tuxedo. The Topeka Capital photo of me on the House floor in my tuxedo is one of my favorite scrapbook keepsakes. The memories go on and on.

Most of all, I am grateful for the honor and opportunity you have given me to serve two terms as your House Speaker. I've learned that it's not a position for the faint at heart, but it has been a truly awesome and rewarding experience, thanks to you, my fellow House colleagues. I've learned a great deal in this position. First and foremost, I've learned that timing is not something that is within our control, and that this is a good thing. As you know, I had attempted on prior occasions to win the office of Speaker. I had felt it was my time. God and my House colleagues had other plans for me that were not apparent at the time. As I think back on it, had I been elected Speaker when I thought it was my time, I would have missed this time. And, oh what I would have missed. These past two years in particular have been truly historic and I stand here today to thank you for having a better sense of what my time should be than I did!

There has been much speculation about what I would announce today. I apologize for the suspense. In fact, as Cindy will tell you, this has been the hardest decision I think I've ever had to make. On the one hand, I do respect tradition and, in this case the unwritten tradition of a Speaker serving no more than two terms. On the other hand, I have been humbled and moved by the outpouring of support and encouragement of colleagues urging me to continue for another term. These are unique times and special circumstances, they say. We have an amazing class of freshmen who I've only had the chance to serve with for a single term.

I promised myself and my amazingly supportive and patient wife, that I would take time away from the Capital to decide what is best for us and what is hopefully best for the House. Cindy and I have literally discussed this decision for hours over many days and nights. In one of our discussions, focused on the encouragement I've received to continue in this role, we shared a quote she found of a retirement speech given by a retiring military leader who said "I would rather go while I'm being encouraged to stay, rather than stay beyond the time when I should go."

In looking back over the past four years and what we've been able to accomplish here, and, more recently, realizing what an historic session this one has been, I am reminded again of the title of my KU hero Max Falkenstien's book. All things being considered, for me, this is "a good place to stop." Accordingly, I have decided that I will not be seeking re-election to the House in the upcoming election.

I am overwhelmed by the realization that an adopted kid from a Western Kansas farm family of modest means has a chance of becoming the Speaker of the Kansas House of Representatives. We live in a wonderful state, one with unlimited potential and unlimited opportunity. The opportunities I've had and this opportunity in particular have been beyond my dreams. I'm universally told by my former colleagues that there is, in fact, life after the Legislature. To those for whom my decision today disappoints, know that I plan to be close by and I hope and plan that my life after the Legislature includes continuing to work with you in some capacity and helping our great state continue to grow and prosper.

There are too many people to thank today. I have loved working with our amazing legislative staff at all levels. You are always the unsung heroes of this process. You know how emotional I get when mentioning specific people so I'll avoid that for now. I've been blessed with amazing Speaker's Office staff and House colleagues and I've been reaping the rewards of developing lifelong friendships in the legislative halls and on both sides of the aisle as a result of my service here.

My only advice to you today is to continue to honor this great institution and honor those who serve with you. Seriously consider what is best for our state but don't take yourselves too seriously. Continue to acknowledge God's presence here daily. For my part, while I can look back on scores of legislative accomplishments over the years, sometimes the small ones are the most meaningful and rewarding.

I'm particularly proud of the fact that this body has insisted that we honor our nation's flag correctly. We are "one nation under God."

Thank you for your service to Kansas. God bless you all and God bless this great state.

REPORT ON ENGROSSED BILLS

HB 2494, HB 2792 reported correctly engrossed May 20, 2012.

S Sub for HB 2390; HB 2435 reported correctly re-engrossed May 20, 2012.

Also, **S Sub for HB 2597** reported correctly engrossed May 21, 2012.

S Sub for HB 2382 reported correctly re-engrossed May 21, 2012.

REPORT ON ENROLLED BILLS

S Sub for HB 2157; S Sub for Sub HB 2318; HB 2413; Sub HB 2427; HB 2503, HB 2568, HB 2604, HB 2704 reported correctly enrolled, properly signed and presented to the Governor on May 21, 2012.

Also, **HB 2175; S Sub for Sub HB 2333; S Sub for HB 2382; S Sub for HB 2390; HB 2435, HB 2453, HB 2494; S Sub for HB 2597; HB 2729, HB 2792** reported correctly enrolled, properly signed and presented to the Governor on May 25, 2012.

REPORT ON ENROLLED RESOLUTIONS

HR 6032 reported correctly enrolled and properly signed on May 21, 2012.

The hour for final adjournment having arrived, Speaker O'Neal said, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2012 session, I do now declare the House adjourned sine die.

MESSAGE FROM THE GOVERNOR

HB 2175; S Sub for Sub HB 2333; S Sub for HB 2390; S sub for HB 2597 approved on June 1, 2012.

MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits the veto message from the Governor on **H Sub for SB 294**, An act making and concerning appropriations for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2011 Supp. 2-223, 12-5256, 55-193, 72-8814, 74-50,107, 74-99b34, 75-2319, 76-775, 76-783, 76-7,107, 79-2964, 79-2978, 79-2979, 79-3425i, as amended by section 10 of 2012 House Bill No. 2557, 79-34,156, 79-34,171, 79-4227 and 82a-953a and repealing the existing sections, which was received on June 1, 2012, and was read before the Senate on June 1, 2012.

Message to the Senate of the State of Kansas:

I want to thank all Kansas legislators and particularly, the members of the House Appropriations Committee and the Senate Ways and Means Committee, for producing a budget that for the first time in many years meets the statutory requirement of maintaining a 7.5% ending balance. Our state has gone through an incredible transition in just two years: from a projected \$500 million deficit to putting nearly half a billion dollars in the bank. A \$1 billion swing can only occur when we commit ourselves to shrinking the footprint of state government and pursuing policies that grow the economy. I look forward to continuing this prosperous path in the fiscal years to come.

Pursuant to Article 2, Section 14 of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill No. 294 with my signature approving the bill, except for the items enumerated below.

Behavioral Sciences Regulatory Board

Limitation on Expenditures

That portion of Section 12(a) that reads as follows has been line-item vetoed:

“*Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2012, for leased office space shall not exceed \$14.00 per square foot.”

That portion of Section 12(b) that reads as follows has been line-item vetoed:

“*Provided, however,* That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2013, for leased office space shall not exceed \$14.00 per square foot.”

Oversight of leased office space is the domain of the Department of Administration. To the extent that we can centrally manage leased space, we can manage our operating costs. These provisions would arbitrarily provide an exception not afforded other agencies and supersede the management function properly placed in the executive branch so I find it necessary to veto them both.

Department of Health & Environment—Environment

Local Environmental Protection Programs

That portion of Section 84(c) that reads as follows has been line-item vetoed:

“Local environmental protection program.....\$800,000

Provided, That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.”

The appropriation of \$800,000 from the State Water Plan Fund (SWPF) for the Local Environmental Protection Programs would increase funding beyond my budget recommendations for FY 2013. Funding for this program was not recommended by the Kansas Water Authority nor the Department of Health and Environment, and was not included in my budget. The program was started in the early 1990s for the purpose of providing local governments with technical assistance and grant funds in order to establish environmental programs specifically suited for local priorities. Once the programs were established, the intent was to discontinue the state funding. The addition of \$800,000 in expenditures from the SWPF for FY 2013 would result in a negative balance of approximately \$565,000 in this state fund. Therefore, I hereby line-item veto this provision.

Department of Education

Uniform Accounting Act for Schools

That portion of Section 42(a) that reads as follows has been line-item vetoed:

“Operating expenditures (including official hospitality).....\$50,000”

The 2011 Legislature enacted the Uniform Financial Accounting and Reporting Act for school districts to report expenditures to the Department of Education. This funding was not originally included in my FY 2012 budget recommendations and I believe the agency can develop and maintain this system which is similar to current procedures within current resources. I find it necessary to veto this appropriation.

Department of Revenue

Fee Sweeps

Sections 75(h) and 75(i) have been line-item vetoed in their entirety.

At the direction of the Legislature, the Department of Revenue is now more heavily dependent on fee income for its operations and two of the three fee sweeps included in the appropriations bill are insupportable. For these two, the cash on hand on the date specified will not be sufficient to make such sizable transfers and the agency would not be left with enough funds to function. I am leaving one of the sweeps the agency can manage. The other two sweeps go too far, and I therefore must veto them.

Department of Education

Mentor Teacher Bonuses

That portion of Section 88(a) that reads as follows has been line-item vetoed:
 “Mentor teacher program grants.....\$484,337”

I proposed educator quality and mentoring reforms as part of my overall education policy reform for consideration this session, however, the Legislature did not adopt most of these initiatives. For a mentoring bonus program to work properly, it must be done in concert with education reform policy. Without those reforms we fail our educators and their students. Therefore I find it necessary to veto this appropriation and look forward to discussing with the Legislature next session how we can improve teacher performance through mentoring.

Kansas Water Office

Water Resource Education

That portion of Section 114(c) that reads as follows has been line-item vetoed:
 “Water resource education..... \$40,000
Provided, That any unencumbered balance in the water resource education account in excess of \$100 as of June 30, 2012, is hereby reappropriated for fiscal year 2013.”

The appropriation of \$40,000 from the State Water Plan Fund for the Water Resource Education program would increase funding beyond my budget recommendations for FY 2013 and would also contribute to a negative balance of approximately \$565,000 in the State Water Plan Fund. Funding for this program was not recommended in my budget. Therefore, I hereby line-item veto this provision.

Wichita Aquifer Storage

Section 114(d) has been line-item vetoed in its entirety.

The additional appropriation of \$500,000 from the Expanded Lottery Act Revenues Fund (ELARF) for the Wichita Aquifer Recharge Project would increase funding beyond my budget recommendations for FY 2013. My FY 2013 budget recommendations included a \$500,000 appropriation from the State Water Plan Fund

for the project that demonstrates an effective method to provide for long-term planning related to future water supplies. Furthermore, the use of the ELARF will have to be leveraged as part of a specific debt reduction and budget balancing strategy. Therefore, I hereby line-item veto this provision.

State Fair Board

Enhanced Marketing

Section 113(c) has been line-item vetoed in its entirety.

I included funds in the Department of Commerce budget for a study to examine the feasibility of changing the dates when our State Fair is held. Rather than finance this study, the money was shifted to the Fair for promotion. With the projected negative balance in the Economic Development Initiatives Fund and this change in plan, I veto the funds. While it does not bring the EDIF into the black, it will be much closer.

Department of Social & Rehabilitation Services and Department on Aging

FMS Fee for HCBS Providers

Section 35(b) has been line-item vetoed in its entirety.

That portion of Section 35(l) that reads as follows has been line-item vetoed:
“Mental health and retardation services aid and assistance..... ..\$91,429”

That portion of Section 36(a) that reads as follows has been line-item vetoed:
“LTC – medicaid assistance – HCBS/FE99,634”

Section 122 has been line-item vetoed in its entirety.

The Financial Management System for Medicaid Home and Community Based Services providers was implemented in FY 2012 as required by the Center for Medicare & Medicaid Services. The system pays a \$115 per consumer per month fee to providers for administrative services. The 2012 Legislature appropriated a total of \$385,878 from the State General Fund in the above referenced sections to increase the fee to \$125 for the months from November 2012 to June 2012. This would require retroactive payments that would strain agency resources. No additional funding was approved to continue the increased rate in FY 2013. The agencies set the \$115 fee using a range derived from a study performed by an impartial contractor and by using comparisons with rates paid by other states. The rate is well above the national average and in my opinion is fair payment for services provided. I therefore find it necessary to veto these supplemental appropriations for FY 2012.

Motor Vehicles

Limitations on Acquisitions

Section 119 is vetoed in its entirety.

Agencies purchase vehicles for a variety of reasons and we have a process in place to ensure new purchases are not made unnecessarily. To ensure that agencies have the

resources they need to get their work done, I veto this section of the bill.

Kansas Bioscience Authority

Timing of Transfers from the State General Fund

That portion of Section 156(d)(1) that reads as follows has been line-item vetoed:

“During the fiscal years ending June 30, 2013, and June 30, 2014, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 in equal installments, subject to the limitations established in subsection (h). If on such dates, during fiscal years 2013 and 2014, such payments can not be made in equal amounts, the state treasurer shall make the payment in the amount of moneys that is available on such date and upon the next payment date, the state treasurer shall make the payment in an amount equal to the amount that is to be paid on that date plus any additional amount that is owed from a previous date. During the fiscal years ending June 30, 2015, and following fiscal years thereafter, the state treasurer shall make payments to the bioscience authority on July 15, October 15, January 15 and April 15 based on the certification provided by the secretary of revenue.”

In recent years the state has had to delay its quarterly transfers to the Kansas Bioscience Authority from time to time, particularly the November amount, when the State General Fund was low on cash. This was done in cooperation with staff at the Bioscience Authority and was not done in a manner that was intended as punitive or harmful. Because we need to maintain our flexibility in managing the State General Fund cashflow, I veto this provision to require transfers on certain dates. This has the effect of leaving processes as they have been handled up to this point.

Moving Forward

The needs are great, and the people of Kansas, particularly our children, depend on us to put our state on a path of economic growth and prosperity. We took a giant step in the right direction this year. I look forward to continuing to work with the Kansas Legislature to review areas where we can reduce the reach of state government, streamline agencies and programs and focus funding on the state’s core responsibilities.

Again, I commend the Legislature for its work during the 2012 session, and I look forward to working with all of you in the coming months and years as we get our state’s budget and economy back on track.

Sam Brownback, Governor

Dated: May 31, 2012

There being no motion to reconsider the line item vetoes on **H Sub for SB 294**, the President ruled the line item vetoes sustained.

MESSAGE FROM THE SENATE

The Senate announces the following bills and concurrent resolutions are hereby transmitted to the House of Representatives with final disposition:

House bills that died in conference: **HB 2430, HB 2485, HB 2572, HB 2649.**

House bills that died on the Senate Calendar: **S Sub for Sub HB 2069, S Sub for HB 2396, HB 2561, HB 2758, S Sub for HB 2329, HB 2637, HB 2673, HB 2510, HB 2627, HB 2638, HB 2646, S Sub for Sub HB 2161, HB 2647, S Sub for HB 2650.**

House bills that died in Senate Committees: **HB 2017, HB 2018, HB 2031, HB 2034, HB 2042, HB 2066, HB 2070, HB 2088, HB 2101, Sub HB 2106, HB 2107, HB 2120, HB 2121, HB 2128, HB 2130, HB 2140, HB 2141, Sub HB 2159, HB 2169, Sub HB 2188, HB 2196, Sub HB 2221, Sub HB 2229, HB 2230, HB 2231, HB 2253, HB 2269, HB 2294, Sub HB 2295, Sub HB 2296, HB 2298, HB 2314, Sub HB 2340, HB 2353, S Sub HB 2357, HB 2374, S Sub HB 2383, HB 2386, HB 2422, HB 2424, HB 2425, Sub HB 2431, HB 2436, HB 2437, HB 2444, HB 2456, HB 2458, HB 2481, HB 2499, HB 2520, HB 2521, HB 2531, HB 2533, HB 2537, HB 2548, HB 2550, Sub HB 2555, HB 2558, HB 2606, HB 2609, HB 2629, Sub HB 2634, HB 2670, HB 2676, HB 2682, HB 2694, HB 2705, HB 2708, Sub HB 2709, HB 2715, HB 2741, HB 2745, HB 2749, HB 2755, HB 2761, HB 2764, HB 2766, Sub HB 2768, HB 2773, HB 2793**

House concurrent resolutions that died in Senate Committee: **HCR 5020, HB 5022, HCR 5023, HCR 5031.**

REPORT ON ENROLLED RESOLUTIONS

HR 6034 reported correctly enrolled and properly signed on June 4, 2012.

CHARLENE SWANSON, *Journal Clerk*

SUSAN W. KANNARR, *Chief Clerk*



TITLE AND HISTORY
OF
HOUSE BILLS
AND
HOUSE RESOLUTIONS

TITLE AND HISTORY OF HOUSE BILLS

- H 2002** Bill by Representatives Grant, D. Gatewood
Amendments to the Kansas expanded lottery act.
 01/07/2011 House—Prefiled for Introduction—HJ 54
 01/10/2011 House—Introduced—HJ 54
 01/10/2011 House—Referred to Committee on Federal and State Affairs—HJ 62
 03/28/2011 House—Motion to withdraw from Committee on Federal and State Affairs not adopted; Yea: 51 Nay: 71—HJ 721
 03/28/2011 House—Motion to change sequence on General Orders not adopted;—HJ 721
 03/21/2012 House—Motion to withdraw from Committee on Federal and State Affairs not adopted.
 03/30/2012 House—Motion to withdraw from Committee on Federal and State Affairs not adopted.
 06/01/2012 House—Died in Committee
- H 2004** Bill by Representative Carlson
Senate Substitute for Substitute for House Bill 2004 by Committee on Education – Authorizing certain contributions under the low-income family postsecondary savings account incentive program.
 01/07/2011 House—Prefiled for Introduction—HJ 54
 01/10/2011 House—Introduced—HJ 54
 01/10/2011 House—Referred to Committee on Education—HJ 62
 02/09/2011 House—Committee Report recommending substitute bill be passed by Committee on Education—HJ 218
 02/22/2011 House—Committee of the Whole - Substitute bill be passed—HJ 312
 02/23/2011 House—Final Action - Passed; Yea: 81 Nay: 40—HJ 329
 02/24/2011 Senate—Referred to Committee on Education—SJ 249
 03/23/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 512
 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 1704
 03/20/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1821
 03/21/2012 Senate—Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 1946
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Aurand, Representative Huebert and Representative Ward as conferees—HJ 2276
 03/27/2012 Senate—Motion to accede adopted; Senator Schodorf, Senator Vratil and Senator Hensley appointed as conferees—SJ 2085
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2134
 05/08/2012 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 2468
 05/11/2012 House—Enrolled and presented to Governor on Friday, May 11, 2012—HJ 2749

05/16/2012 House—Approved by Governor on Wednesday, 16 May 2012—HJ 2799

- H 2005** Bill by Representative Otto
School districts; finance; establishing the base state aid per pupil for future school years.
 01/07/2011 House—Prefiled for Introduction—HJ 54
 01/10/2011 House—Introduced—HJ 54
 01/10/2011 House—Referred to Committee on Education—HJ 62
 06/01/2012 House—Died in Committee
- H 2007** Bill by Representative Huebert
Health exceptions to late-term and partial birth abortions.
 01/07/2011 House—Prefiled for Introduction—HJ 54
 01/10/2011 House—Introduced—HJ 54
 01/10/2011 House—Referred to Committee on Federal and State Affairs—HJ 62
 06/01/2012 House—Died in Committee
- H 2009** Bill by Representative Kinzer
Defining the crime of home improvement fraud and providing penalties.
 01/13/2011 House—Introduced—HJ 75
 01/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 82
 01/31/2011 House—Hearing: Thursday, February 03, 2011, 1:30 PM Room 144-S
 02/09/2011 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 214
 02/15/2011 House—Withdrawn from Calendar, Rereferred to Committee on Corrections and Juvenile Justice—HJ 260
 06/01/2012 House—Died in Committee
- H 2011** Bill by Legislative Educational Planning
Tax credits for certain contributions to community colleges.
 01/13/2011 House—Introduced—HJ 77
 01/14/2011 House—Referred to Committee on Taxation—HJ 82
 06/01/2012 House—Died in Committee
- H 2012** Bill by Legislative Educational Planning
The duties of the legislative educational planning committee include matters or issues relating to school finance.
 01/13/2011 House—Introduced—HJ 77
 01/14/2011 House—Referred to Committee on Education Budget—HJ 82
 06/01/2012 House—Died in Committee
- H 2016** Bill by Special Education
School districts; finance; bilingual weighting based on program enrollment.
 01/18/2011 House—Introduced—HJ 86
 01/19/2011 House—Referred to Committee on Education Budget—HJ 92

01/24/2011 House—Withdrawn from Committee on Education Budget; Referred to Committee on Education—HJ 100
 01/25/2011 House—Hearing: Wednesday, January 26, 2011, 9:00 AM Room 784 DSOB
 06/01/2012 House—Died in Committee

H 2017 Bill by Special Education
School districts; calculating adjusted enrollment if determined that pupils are ineligible for free meals.

01/18/2011 House—Introduced—HJ 86
 01/19/2011 House—Referred to Committee on Education—HJ 92
 02/03/2011 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 156
 02/15/2011 House—Committee of the Whole - Be passed as amended—HJ 261
 02/16/2011 House—Final Action - Passed as amended; Yea: 85 Nay: 33—HJ 266
 02/17/2011 Senate—Received and Introduced—SJ 206
 02/18/2011 Senate—Referred to Committee on Education—SJ 212
 03/21/2011 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 391
 06/01/2012 Senate—Died in Senate Committee

H 2018 Bill by Special Education
School districts; finance; high density at-risk weighting.

01/18/2011 House—Introduced—HJ 86
 01/19/2011 House—Referred to Committee on Education Budget—HJ 92
 01/24/2011 House—Withdrawn from Committee on Education Budget; Referred to Committee on Education—HJ 100
 02/03/2011 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 156
 02/16/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 265
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 340
 02/22/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 1919
 02/22/2012 House—Withdrawn from Calendar, Rereferred to Committee on Appropriations—HJ 1924
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 1978
 03/09/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2022
 03/19/2012 House—Committee of the Whole - Be passed as amended—HJ 2150
 03/20/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 2186
 03/20/2012 Senate—Received and Introduced—SJ 1814
 03/21/2012 Senate—Referred to Committee on Education—SJ 1945
 06/01/2012 Senate—Died in Senate Committee

H 2019 Bill by Special Education

School districts; interdistrict agreements; termination.

01/18/2011 House—Introduced—HJ 86

01/19/2011 House—Referred to Committee on Education—HJ 92

06/01/2012 House—Died in Committee

H 2021 Bill by Legislative Educational Planning**KAN-ED; membership.**

01/18/2011 House—Introduced—HJ 86

01/19/2011 House—Referred to Committee on Education Budget—HJ 92

06/01/2012 House—Died in Committee

H 2022 Bill by Corrections and Juvenile Justice**Allowing venue to be transferred back to the jurisdiction where the crime occurred when a defendant is to be conditionally released.**

01/18/2011 House—Introduced—HJ 86

01/19/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 92

01/21/2011 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 144-S

06/01/2012 House—Died in Committee

H 2024 Bill by Vision 2020**Creating the constitutional education suitability commission.**

01/18/2011 House—Introduced—HJ 89

01/19/2011 House—Referred to Committee on Education—HJ 92

06/01/2012 House—Died in Committee

H 2025 Bill by Appropriations**Concerning the regulation of motor carriers; exemptions of certain carriers.**

01/18/2011 House—Introduced—HJ 89

01/19/2011 House—Referred to Committee on Transportation—HJ 92

06/01/2012 House—Died in Committee

H 2026 Bill by Federal and State Affairs**Kansas immigration accountability act.**

01/18/2011 House—Introduced—HJ 89

01/19/2011 House—Referred to Committee on Federal and State Affairs—HJ 92

06/01/2012 House—Died in Committee

H 2031 Bill by Representatives Smith, Bruchman, Burgess, Grosserode, Hildabrand, Kinzer, Mast, Meigs, Pauls, Rubin, Vickrey**Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.**

01/19/2011 House—Introduced—HJ 91

01/20/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 95

01/26/2011 House—Withdrawn from Committee on Corrections and Juvenile

Justice; Referred to Committee on Judiciary—HJ 114
 02/21/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 305
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 341
 02/24/2011 House—Final Action - Passed as amended; Yea: 116 Nay: 5—HJ 349
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Judiciary—SJ 270
 03/23/2011 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Ways and Means—SJ 508
 06/01/2012 Senate—Died in Senate Committee

- H 2032** Bill by Representative Smith
County and district attorney monthly reporting of caseloads.
 01/19/2011 House—Introduced—HJ 91
 01/20/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 95
 01/28/2011 House—Hearing: Monday, January 31, 2011, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2034** Bill by Transportation
Raising speed limit on certain roadways to 75 mph; violations.
 01/19/2011 House—Introduced—HJ 91
 01/20/2011 House—Referred to Committee on Transportation—HJ 95
 02/18/2011 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 290
 02/24/2011 House—Committee of the Whole - Be passed as amended—HJ 359
 02/25/2011 House—Final Action - Passed as amended; Yea: 95 Nay: 23—HJ 396
 03/02/2011 Senate—Received and Introduced—SJ 275
 03/03/2011 Senate—Referred to Committee on Transportation—SJ 280
 03/23/2011 Senate—Withdrawn from Committee on Transportation; Referred to
 Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Transportation—SJ 512
 06/01/2012 Senate—Died in Senate Committee
- H 2036** Bill by Representatives Otto, Carlson, DeGraaf, Donohoe, Garber, Grange,
 Osterman, Rhoades, B. Wolf
Interpretation of federal statutes, regulations and national codes.
 01/19/2011 House—Introduced—HJ 91
 01/20/2011 House—Referred to Committee on Judiciary—HJ 95
 01/31/2011 House—Hearing: Thursday, February 03, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2037** Bill by Representative O'Neal
**Committees; creating the house committee on commerce and economic
 development.**
 01/19/2011 House—Introduced—HJ 91
 01/20/2011 House—Referred to Committee on Rules and Journal—HJ 95

06/01/2012 House—Died in Committee

- H 2039** Bill by Health and Human Services
Smoking regulations; casino exemption deleted.
 01/19/2011 House—Introduced—HJ 91
 01/20/2011 House—Referred to Committee on Health and Human Services—HJ 95
 06/01/2012 House—Died in Committee
- H 2040** Bill by Health and Human Services
Local health department funding reductions.
 01/19/2011 House—Introduced—HJ 92
 01/20/2011 House—Referred to Committee on Health and Human Services—HJ 95
 06/01/2012 House—Died in Committee
- H 2041** Bill by Local Government
Licensure qualifications for pawnbrokers and precious metal dealers.
 01/19/2011 House—Introduced—HJ 92
 01/20/2011 House—Referred to Committee on Local Government—HJ 95
 02/08/2011 House—Hearing: Tuesday, February 08, 2011, 3:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2042** Bill by Judiciary
Requiring law enforcement to report pornographic materials found at scene of or in possession of person who commits a sexually violent crime.
 01/19/2011 House—Introduced—HJ 92
 01/20/2011 House—Referred to Committee on Judiciary—HJ 95
 02/21/2011 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 305
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 341
 02/24/2011 House—Final Action - Passed as amended; Yea: 119 Nay: 2—HJ 351
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Judiciary—SJ 270
 03/23/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 508
 06/01/2012 Senate—Died in Senate Committee
- H 2043** Bill by Representative Otto
School districts; requiring online reporting of all expenditures by each district.
 01/19/2011 House—Introduced—HJ 92
 01/20/2011 House—Referred to Committee on Education—HJ 95
 06/01/2012 House—Died in Committee
- H 2045** Bill by Corrections and Juvenile Justice
Amending the definitions and penalties for eavesdropping and blackmail.
 01/19/2011 House—Introduced—HJ 92
 01/20/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 95

01/21/2011 House—Hearing: Monday, January 24, 2011, 1:30 PM Room 144-S
06/01/2012 House—Died in Committee

- H 2046** Bill by Aging and Long-term Care
Creation of the health care for seniors fund.
01/20/2011 House—Introduced—HJ 93
01/21/2011 House—Referred to Committee on Aging and Long-term Care—HJ 97
01/31/2011 House—Hearing: Thursday, February 03, 2011, 9:00 AM Room 144-S
06/01/2012 House—Died in Committee
- H 2047** Bill by Aging and Long-term Care
Enacting the geriatric mental health act.
01/20/2011 House—Introduced—HJ 93
01/21/2011 House—Referred to Committee on Aging and Long-term Care—HJ 97
02/08/2011 House—Hearing: Tuesday, February 08, 2011, 9:00 AM Room 144-S
06/01/2012 House—Died in Committee
- H 2048** Bill by Representatives Sloan, Hill, K. Wolf
Establishing a prescription drug disposal program.
01/20/2011 House—Introduced—HJ 93
01/21/2011 House—Referred to Committee on Health and Human Services—HJ 97
06/01/2012 House—Died in Committee
- H 2050** Bill by Energy and Utilities
Concerning utilities; establishing the broadband deployment assistance program.
01/20/2011 House—Introduced—HJ 93
01/21/2011 House—Referred to Committee on Energy and Utilities—HJ 97
02/18/2011 House—Hearing: Friday, February 18, 2011, 9:00 AM Room 785
DSOB
06/01/2012 House—Died in Committee
- H 2051** Bill by Taxation
Business and job development carryforward credits under Kansas income tax act.
01/20/2011 House—Introduced—HJ 93
01/21/2011 House—Referred to Committee on Taxation—HJ 98
01/25/2011 House—Hearing: Wednesday, January 26, 2011, 3:30 PM Room 783 DSOB
06/01/2012 House—Died in Committee
- H 2052** Bill by Taxation
Income tax credit for certain tuition and related expenses paid to an educational institution located in Kansas based on federal hope and lifetime learning tax credits.
01/20/2011 House—Introduced—HJ 94
01/21/2011 House—Referred to Committee on Taxation—HJ 98
06/01/2012 House—Died in Committee

- H 2053** Bill by Appropriations
School districts; uniform financial accounting and reporting act.
 01/21/2011 House—Introduced—HJ 97
 01/24/2011 House—Referred to Committee on Education Budget—HJ 100
 06/01/2012 House—Died in Committee
- H 2055** Bill by Corrections and Juvenile Justice
Substitute for HB 2055 by Corrections and Juvenile Justice -- Amending reporting requirements of the district attorney to the secretary of corrections.
 01/21/2011 House—Introduced—HJ 97
 01/24/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 100
 01/19/2012 House—Hearing: Thursday, January 26, 2012, 1:30 PM Room 144-S
 02/02/2012 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 1764
 02/09/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1810
 02/13/2012 House—Final Action - Substitute passed; Yea: 121 Nay: 0—HJ 1830
 02/13/2012 Senate—Received and Introduced—SJ 1491
 02/14/2012 Senate—Referred to Committee on Judiciary—SJ 1497
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1691
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277
- H 2059** Bill by Representative Sloan
Requiring second-hand stores to verify identity of sellers and record such information.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 109
 02/11/2011 House—Hearing: Friday, February 11, 2011, 12:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2061** Bill by Representative Sloan
Enumerating transferred intent as an element of state criminal law when the person acts with the requisite culpability but such person's actions affect a different object or person than intended.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 109
 02/11/2011 House—Hearing: Friday, February 11, 2011, 12:30 PM Room 144-S
 06/01/2012 House—Died in Committee

- H 2062** Bill by Representative Sloan
Giving law enforcement officers permission to search people on probation, parole or postrelease supervision upon reasonable suspicion.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 109
 02/11/2011 House—Hearing: Friday, February 11, 2011, 12:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2063** Bill by Representatives Sloan, Hineman
Designating an official state fossil.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 108
 06/01/2012 House—Died in Committee
- H 2064** Bill by Vision 2020
Creating the higher education commission.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Education—HJ 109
 06/01/2012 House—Died in Committee
- H 2065** Bill by Local Government
Cities annexation; deannexation; changes.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Local Government—HJ 109
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 3:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2066** Bill by Local Government
City annexation; fire district territory; double taxation; refund of taxes.
 01/24/2011 House—Introduced—HJ 100
 01/25/2011 House—Referred to Committee on Local Government—HJ 109
 02/21/2011 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 306
 02/23/2011 House—Committee of the Whole - Be passed—HJ 340
 02/24/2011 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 351
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Local Government—SJ 271
 06/01/2012 Senate—Died in Senate Committee
- H 2068** Bill by Judiciary
Amending the Kansas power of attorney act regarding durable power of attorney and duties of the attorney in fact.
 01/24/2011 House—Introduced—HJ 103
 01/25/2011 House—Referred to Committee on Judiciary—HJ 109
 01/28/2011 House—Hearing: Monday, January 31, 2011, 9:30 AM Room 548-S

06/01/2012 House—Died in Committee

H 2069 Bill by Judiciary
Senate Substitute for Substitute HB 2069 by Committee on Reapportionment - State legislative redistricting; Senate and state board of education districts.

01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Judiciary—HJ 109
 02/22/2011 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 320
 02/24/2011 House—Committee of the Whole - Be passed—HJ 360
 02/25/2011 House—Final Action - Passed; Yea: 118 Nay: 1—HJ 397
 03/02/2011 Senate—Received and Introduced—SJ 275
 03/03/2011 Senate—Referred to Committee on Judiciary—SJ 280
 03/23/2011 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 508
 01/27/2012 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 1395
 05/09/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Reapportionment—SJ 2630
 05/10/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Reapportionment—SJ 2690
 05/11/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on Reapportionment—SJ 2692
 05/11/2012 Senate—Committee Report recommending bill be further amended and be passed as amended by Committee on Reapportionment—SJ 2710
 06/01/2012 Senate—Died on Senate General Orders

H 2070 Bill by Judiciary
Eminent domain; appraisers' award; notification and restriction.

01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Judiciary—HJ 109
 02/08/2011 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 206
 02/11/2011 House—Committee of the Whole - Be passed as amended—HJ 239
 02/14/2011 House—Final Action - Passed as amended; Yea: 82 Nay: 38—HJ 253
 02/14/2011 Senate—Received and Introduced—SJ 161
 02/15/2011 Senate—Referred to Committee on Judiciary—SJ 194
 01/11/2012 Senate—Hearing: Wednesday, January 18, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee

H 2072 Bill by Judiciary
Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings.

01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Judiciary—HJ 109
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2073 Bill by Judiciary**Concerning the assessment of an order of support of a child.**

01/24/2011 House—Introduced—HJ 104

01/25/2011 House—Referred to Committee on Judiciary—HJ 109

01/31/2011 House—Hearing: Thursday, February 03, 2011, 3:30 PM Room 346-S

06/01/2012 House—Died in Committee

H 2077 Bill by Insurance**Senate Substitute for HB 2077 by Committee on Financial Institutions and Insurance -- Creating the professional employer organization registration act.**

01/24/2011 House—Introduced—HJ 104

01/25/2011 House—Referred to Committee on Insurance—HJ 109

02/22/2011 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 315

02/24/2011 House—Committee of the Whole - Be passed—HJ 360

02/25/2011 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 399

03/02/2011 Senate—Received and Introduced—SJ 275

03/03/2011 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 280

03/23/2011 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 508

03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 512

05/12/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 875

05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 1296

03/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1726

03/26/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 2063

03/27/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 2078

03/30/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 2133

03/30/2012 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 2150

04/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Suellentrop, Representative Kleeb and Representative Slattery as conferees—HJ 2369

04/27/2012 Senate—Motion to accede adopted; Senator Teichman, Senator Masterson and Senator A. Schmidt appointed as conferees—SJ 2302

05/08/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2599

05/10/2012 House—Conference Committee Report was adopted; Yea: 91 Nay: 33—HJ 2540

05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—HJ 2918

05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2079** Bill by Education
Authorizing transportation of students residing on Fort Leavenworth military reservation.
 01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Education—HJ 109
 06/01/2012 House—Died in Committee
- H 2081** Bill by Health and Human Services
Special hospitals required to provide emergency services.
 01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Health and Human Services—HJ 109
 06/01/2012 House—Died in Committee
- H 2084** Bill by Local Government
Consolidation of cities and counties by dual majority vote.
 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Local Government—HJ 114
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 3:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 1844
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1947
 03/08/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Local Government—HJ 2004
 06/01/2012 House—Died in Committee
- H 2085** Bill by Insurance
Requiring title companies owned by a title insurer to have an annual audit of its escrow, settlement and closing deposit accounts conducted by a certified public accountant.
 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Insurance—HJ 114
 06/01/2012 House—Died in Committee
- H 2086** Bill by Joint Pensions, Investments, and Benefits
Increasing KPERS employer contribution rate cap.
 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Pensions and Benefits—HJ 114
 02/14/2011 House—Hearing: Monday, February 14, 2011, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee
- H 2087** Bill by Representatives Mast, Arpke, Boman, Brunk, Carlson, Collins, Crum, DeGraaf, Donohoe, Fund, Garber, Gonzalez, Goodman, Gregory, Grosserode, Hermanson, Hoffman, M. Holmes, Howell, Huebert, Kelley, Kiegerl, Kinzer, Landwehr, McLeland, Meier, Meigs, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Pauls, Rhoades, Rubin,

Ryckman, Scapa, Seiwert, Siegfried, Smith, Spalding, Suellentrop,
Vickrey, Weber

**Senate Substitute for HB 2087 by Committee on Reapportionment - State
legislative redistricting; Senate and State Board of Education districts.**

- 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Judiciary—HJ 114
 02/18/2011 House—Withdrawn from Committee on Judiciary; Referred to
 Committee on Appropriations—HJ 285
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 340
 03/10/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 452
 03/29/2011 House—Committee of the Whole - Be passed as amended—HJ 793
 03/30/2011 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 823
 03/30/2011 Senate—Received and Introduced—SJ 580
 03/31/2011 Senate—Referred to Committee on Judiciary—SJ 584
 01/25/2012 Senate—Hearing: Monday, January 30, 2012, 9:30 AM Room 548-S
 01/30/2012 Senate—Hearing: Friday, February 03, 2012, 12:00 PM Room 548-S
 05/09/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Reapportionment—SJ 2630
 05/10/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Reapportionment—SJ 2691
 05/10/2012 Senate—Withdrawn from Calendar, Rereferred to Committee on
 Reapportionment—SJ 2691
 05/11/2012 Senate—Committee Report recommending bill be further amended and
 be passed as amended by Committee on Reapportionment—SJ 2711
 05/18/2012 Senate—Committee of the Whole - Substitute bill be passed as
 amended—SJ 3232
 05/18/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea:
 21 Nay: 17—SJ 3232
 05/19/2012 House—Ruled materially changed and referred to Committee on
 Redistricting—HJ 2921
 06/01/2012 House—Died in Committee

H 2088 Bill by Commerce and Economic Development
Municipalities; sprinkler systems, residential housing; changes.

- 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Commerce and Economic
 Development—HJ 114
 01/28/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Commerce and Economic Development—HJ 128
 02/04/2011 House—Committee of the Whole - Motion to rerefer to committee
 failed
 02/04/2011 House—Motion to lay on table not adopted;
 02/04/2011 House—Committee of the Whole - Be passed as amended—HJ 161
 02/07/2011 House—Final Action - Passed as amended; Yea: 107 Nay: 14—HJ 180
 02/09/2011 Senate—Received and Introduced—SJ 143
 02/10/2011 Senate—Referred to Committee on Local Government—SJ 150
 06/01/2012 Senate—Died in Senate Committee

- H 2089** Bill by Federal and State Affairs
Concerning hunting; relating to hunting dogs; permitting owners to retrieve their dogs from posted land.
 01/25/2011 House—Introduced—HJ 108
 01/26/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 114
 06/01/2012 House—Died in Committee
- H 2090** Bill by Education
Providing bus transportation for school children subjected to hazardous walking conditions.
 01/25/2011 House—Introduced—HJ 112
 01/26/2011 House—Referred to Committee on Education Budget—HJ 114
 02/16/2011 House—Hearing: Tuesday, February 15, 2011, 3:30 PM Room 152-S
 06/01/2012 House—Died in Committee
- H 2091** Bill by Representatives Kinzer, Brown, Collins, Donohoe, Garber, Goodman, Gregory, Grosserode, Hildabrand, Howell, Kiegerl, Landwehr, Meigs, Montgomery, O'Brien, O'Hara, Osterman, Patton, Rubin, Scapa, Smith, Suellentrop
Decreasing rate of sales and compensating use tax.
 01/25/2011 House—Introduced—HJ 112
 01/26/2011 House—Referred to Committee on Taxation—HJ 114
 03/07/2011 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 428
 03/17/2011 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 39 Nay: 80—HJ 538
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2092** Bill by Transportation
Employment security law; benefits for school bus drivers.
 01/26/2011 House—Introduced—HJ 114
 01/27/2011 House—Referred to Committee on Commerce and Economic Development—HJ 120
 02/14/2011 House—Hearing: Monday, February 14, 2011, 1:30 PM Room 785 DSOB
 06/01/2012 House—Died in Committee
- H 2094** Bill by Health and Human Services
Vaccinations; exemption from getting based on reasons of conscience or personal belief
 01/26/2011 House—Introduced—HJ 114
 01/27/2011 House—Referred to Committee on Health and Human Services—HJ 120
 01/11/2012 House—Hearing: Wednesday, January 18, 2012, 1:30 PM Room 784 Docking
 06/13/2012 House—Hearing: Tuesday, February 08, 2011, 1:30 PM Room 784 DSOB
 06/01/2012 House—Died in Committee

- H 2095** Bill by Health and Human Services
School sports head injury prevention act.
01/26/2011 House—Introduced—HJ 114
01/27/2011 House—Referred to Committee on Health and Human Services—HJ 120
06/01/2012 House—Died in Committee
- H 2096** Bill by Vision 2020
Providing for a coordinated water data repository system; granting preservation easements; drinking water costs in water plan storage rates.
01/26/2011 House—Introduced—HJ 114
01/27/2011 House—Referred separately to Committee on Vision 2020 and Committee on Agriculture and Natural Resources—HJ 120
03/07/2011 House—Hearing: Monday, March 07, 2011, 9:00 AM Room 783 DSOB
01/09/2012 House—Hearing: Wednesday, January 11, 2012, 3:30 PM Room 144-S
01/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Vision 2020 and Committee on Agriculture and Natural Resources—HJ 1706
01/20/2012 House—Now in Committee on Agriculture and Natural Resources—HJ 1708
06/01/2012 House—Died in Committee
- H 2097** Bill by Energy and Utilities
Agricultural ethyl alcohol incentive; extension.
01/26/2011 House—Introduced—HJ 114
01/27/2011 House—Referred to Committee on Energy and Utilities—HJ 120
06/01/2012 House—Died in Committee
- H 2098** Bill by Corrections and Juvenile Justice
Making methamphetamine precursors schedule III prescription drugs.
01/26/2011 House—Introduced—HJ 114
01/27/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 120
06/01/2012 House—Died in Committee
- H 2099** Bill by Agriculture and Natural Resources
Creation of the Kansas goat council.
01/26/2011 House—Introduced—HJ 114
01/27/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 120
02/08/2011 House—Hearing: Tuesday, February 08, 2011, 9:00 AM Room 783 DSOB
06/01/2012 House—Died in Committee
- H 2100** Bill by Education
School districts; finance; supplemental general state aid; consolidated districts.
01/26/2011 House—Introduced—HJ 116
01/27/2011 House—Referred to Committee on Education Budget—HJ 120

02/21/2011 House—Hearing: Monday, February 21, 2011, 3:30 PM Room 159-S
 06/01/2012 House—Died in Committee

- H 2101** Bill by Representatives Kinzer, Collins, Gregory, Huebert, Kelley, Mast, Meigs, O'Brien, O'Hara, Patton, Peck, Rhoades, Rubin, Ryckman, Siegfried, Suellentrop, B. Wolf
Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.

01/26/2011 House—Introduced—HJ 116
 01/27/2011 House—Referred to Committee on Judiciary—HJ 120
 02/22/2011 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 320
 02/24/2011 House—Committee of the Whole - Be passed as amended—HJ 360
 02/25/2011 House—Final Action - Passed as amended; Yea: 66 Nay: 53—HJ 400
 03/02/2011 Senate—Received and Introduced—SJ 275
 03/03/2011 Senate—Referred to Committee on Judiciary—SJ 280
 06/01/2012 Senate—Died in Senate Committee

- H 2102** Bill by Judiciary
Concerning open records; relating to nondisclosure of certain records.

01/26/2011 House—Introduced—HJ 116
 01/27/2011 House—Referred to Committee on Judiciary—HJ 120
 02/07/2011 House—Hearing: Monday, February 07, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

- H 2103** Bill by Children and Families
Child in need of care; termination of parents rights.

01/26/2011 House—Introduced—HJ 117
 01/27/2011 House—Referred separately to Committee on Children and Families and Committee on Judiciary—HJ 120
 06/01/2012 House—Died in Committee

- H 2106** Bill by Federal and State Affairs
Substitute HB 2106 by Committee on Judiciary - Relating to trespass and liability; exceptions.

01/26/2011 House—Introduced—HJ 117
 01/27/2011 House—Referred to Committee on Judiciary—HJ 120
 02/01/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 346-S
 02/20/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 1882
 02/23/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1942
 02/23/2012 House—Emergency Final Action - Substitute passed as amended; Yea: 119 Nay: 5—HJ 1956
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 548-S

03/06/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee

- H 2107** Bill by Federal and State Affairs
Community defense act; sexually oriented businesses regulations.
 01/26/2011 House—Introduced—HJ 117
 01/27/2011 House—Referred to Committee on Federal and State Affairs—HJ 120
 02/21/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 305
 03/08/2011 House—Committee of the Whole - Be passed as amended—HJ 434
 03/09/2011 House—Final Action - Passed as amended; Yea: 91 Nay: 28—HJ 438
 03/09/2011 Senate—Received and Introduced—SJ 299
 03/10/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 308
 06/01/2012 Senate—Died in Senate Committee
- H 2108** Bill by Aging and Long-term Care
**Transfer of the adult protective services program from the department of
 Social Rehabilitation Services to the attorney general.**
 01/26/2011 House—Introduced—HJ 117
 01/27/2011 House—Referred to Committee on Aging and Long-term Care—HJ 120
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 9:00 AM Room 144-S
 06/01/2012 House—Died in Committee
- H 2109** Bill by Agriculture and Natural Resources
Creating the Kansas dam rehabilitation program.
 01/26/2011 House—Introduced—HJ 117
 01/27/2011 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 120
 02/21/2011 House—Withdrawn from Committee on Agriculture and Natural
 Resources; Referred to Committee on Appropriations—HJ 300
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Agriculture and Natural Resources—HJ 340
 06/01/2012 House—Died in Committee
- H 2110** Bill by Aging and Long-term Care
Aged persons; establishing the long-term care ombudsman committee.
 01/27/2011 House—Introduced—HJ 119
 01/28/2011 House—Referred to Committee on Aging and Long-term Care—HJ 127
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 1:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2111** Bill by Children and Families
**Family day care homes; amending statutes to make the 2009 statutes the
 current law regarding family day care homes.**
 01/27/2011 House—Introduced—HJ 119
 01/28/2011 House—Referred to Committee on Health and Human Services—HJ 127
 06/01/2012 House—Died in Committee

- H 2112** Bill by Vision 2020
Increasing state property tax levy for state institutions for caring of certain persons and children.
 01/27/2011 House—Introduced—HJ 119
 01/28/2011 House—Referred to Committee on Taxation—HJ 127
 06/01/2012 House—Died in Committee
- H 2113** Bill by Vision 2020
Increasing state property tax levy for institutions of higher learning.
 01/27/2011 House—Introduced—HJ 119
 01/28/2011 House—Referred to Committee on Taxation—HJ 127
 06/01/2012 House—Died in Committee
- H 2114** Bill by Vision 2020
Decreasing service time for vesting to 10 years under tier II of the Kansas police and firemen's retirement system.
 01/27/2011 House—Introduced—HJ 119
 01/28/2011 House—Referred to Committee on Pensions and Benefits—HJ 127
 02/14/2011 House—Hearing: Monday, February 14, 2011, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee
- H 2115** Bill by Representative Sloan
Adding several person and property crimes to offenses and conduct giving rise to civil forfeiture.
 01/27/2011 House—Introduced—HJ 120
 01/28/2011 House—Referred to Committee on Judiciary—HJ 127
 06/01/2012 House—Died in Committee
- H 2116** Bill by Vision 2020
Establishing state property tax levy for state water infrastructure maintenance, construction, renovation and acquisition.
 01/27/2011 House—Introduced—HJ 120
 01/28/2011 House—Referred to Committee on Taxation—HJ 127
 06/01/2012 House—Died in Committee
- H 2117** Bill by Taxation
Senate Substitute for HB 2117 by Committee on Taxation -- Reduction of income tax rates for individuals and determination of income tax credits; severance tax exemptions; homestead property tax refunds; food sales tax refunds.
 01/27/2011 House—Introduced—HJ 120
 01/28/2011 House—Referred to Committee on Taxation—HJ 127
 02/04/2011 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 164
 03/18/2011 House—Committee of the Whole - Be passed as amended—HJ 568
 03/21/2011 House—Final Action - Passed as amended; Yea: 115 Nay: 8—HJ 589
 03/22/2011 Senate—Received and Introduced—SJ 432

- 03/23/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 471
 03/16/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1724
 03/20/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1821
 03/21/2012 Senate—Final Action - Substitute not passed; Yea: 20 Nay: 20—SJ 1947
 03/21/2012 Senate—Motion to Reconsider Adopted—SJ 1948
 03/21/2012 Senate—Final Action - Substitute passed as amended; Yea: 29 Nay: 11—SJ 1948
 03/30/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Carlson, Representative Kleeb and Representative Dillmore as conferees—HJ 2330
 03/30/2012 Senate—Motion to accede adopted; Senator Donovan, Senator Apple and Senator Holland appointed as conferees—SJ 2160
 05/07/2012 Senate—Conference Committee Report agree to disagree adopted; Senator Donovan, Senator Apple and Senator Holland appointed as second conferees—SJ 2584
 05/07/2012 House—Conference Committee Report agree to disagree adopted; Representative Carlson, Representative Kleeb and Representative Dillmore appointed as second conferees Yea: 68 Nay: 48—HJ 2464
 05/09/2012 Senate—Point of order was raised. Chair ruled discussion out of order.—SJ 2631
 05/09/2012 Senate—Ruling of the chair was sustained. Yea: 23 Nay: 15—SJ 2631
 05/09/2012 House—On motion of Rep. Kinzer, to call for the previous question pursuant to House Rule 2301(d), the motion prevailed.—HJ 2525
 05/09/2012 House—Concurred with amendments in conference; Yea: 64 Nay: 59—HJ 2522
 05/09/2012 Senate—Pursuant to Joint Rule 3(b) No Senate action taken.—SJ 2631
 05/16/2012 House—Enrolled and presented to Governor on Wednesday, May 16, 2012—HJ 2805
 05/22/2012 House—Approved by Governor on Tuesday, 22 May 2012

H 2120

Bill by Government Efficiency

Kansas government effectiveness and efficiency commission act.

- 01/28/2011 House—Introduced—HJ 127
 01/31/2011 House—Referred to Committee on Government Efficiency—HJ 134
 02/22/2011 House—Committee Report recommending bill be passed as amended by Committee on Government Efficiency—HJ 325
 02/24/2011 House—Committee of the Whole - Be passed as amended—HJ 360
 02/25/2011 House—Final Action - Passed as amended; Yea: 79 Nay: 40—HJ 401
 03/02/2011 Senate—Received and Introduced—SJ 275
 03/03/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 280
 06/01/2012 Senate—Died in Senate Committee

H 2121

Bill by Appropriations

Relating to the coroner's permit to cremate.

- 01/28/2011 House—Introduced—HJ 127
 01/31/2011 House—Referred to Committee on Judiciary—HJ 134

01/18/2012 House—Hearing: Monday, January 23, 2012, 3:30 PM Room 346-S
 02/09/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 1813
 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
 02/16/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 1856
 02/16/2012 Senate—Received and Introduced—SJ 1530
 02/17/2012 Senate—Referred to Committee on Judiciary—SJ 1538
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee

- H 2123** Bill by Representative Sloan
Enacting the Kansas adverse medical outcome transparency act.
 01/28/2011 House—Introduced—HJ 127
 01/31/2011 House—Referred to Committee on Judiciary—HJ 134
 02/09/2011 House—Hearing: Wednesday, February 09, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2126** Bill by Representatives Huebert, Arpke, Billinger, Boman, Brown, Brunk, Crum, DeGraaf, Donohoe, Fund, Garber, Goico, Gonzalez, Gregory, Hedke, Hermanson, Hildabrand, M. Holmes, Howell, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Landwehr, Mast, McLeland, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Patton, Peck, Prescott, Rhoades, Rubin, Scapa, Seiwert, Siegfried, Swanson, Vickrey, Ryckman
Elections; municipalities; primary and general election date change.
 01/28/2011 House—Introduced—HJ 129
 01/31/2011 House—Referred to Committee on Elections—HJ 134
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee
- H 2127** Bill by Federal and State Affairs
Municipalities; demand coordination by federal government and state government; regulations, policies
 01/28/2011 House—Introduced—HJ 130
 01/31/2011 House—Referred to Committee on Local Government—HJ 134
 06/01/2012 House—Died in Committee
- H 2128** Bill by Elections
Restricting candidate appearances in public service announcements or advertisements prior to an election.
 01/31/2011 House—Introduced—HJ 132
 02/03/2011 House—Referred to Committee on Elections—HJ 148
 02/11/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Elections—HJ 239
 02/24/2011 House—Committee of the Whole - Be passed as amended—HJ 369
 02/25/2011 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 402
 03/02/2011 Senate—Received and Introduced—SJ 275
 03/03/2011 Senate—Referred to Committee on Ethics and Elections—SJ 280
 03/23/2011 Senate—Withdrawn from Committee on Ethics and Elections; Referred

to Committee on Ways and Means—SJ 509
06/01/2012 Senate—Died in Senate Committee

- H 2129** Bill by Representatives Landwehr, Mosier, Denning, Rubin, Alford, Arpke, Boman, Brown, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, DeGraaf, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hermanson, Hildabrand, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Powell, Prescott, Rhoades, Ryckman, Scapa, Schwartz, Seiwert, Siegfried, Smith, Spalding, Suellentrop, Vickrey, B. Wolf, K. Wolf, Worley

Enacting the health care freedom act.

01/28/2011 House—Hearing: Monday, January 31, 2011, 1:30 PM Room 784
DSOB
01/31/2011 House—Introduced—HJ 132
02/03/2011 House—Referred to Committee on Health and Human Services—HJ 148
02/04/2011 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 163
02/23/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 344
06/01/2012 House—Died in Committee

- H 2130** Bill by Commerce and Economic Development

Labor organizations; political activity.

01/31/2011 House—Introduced—HJ 134
02/03/2011 House—Referred to Committee on Commerce and Economic Development—HJ 148
02/18/2011 House—Committee Report recommending bill be passed by Committee on Commerce and Economic Development—HJ 288
02/23/2011 House—Committee of the Whole - Rereferred to Committee on Commerce and Economic Development—HJ 337
02/23/2011 House—Committee of the Whole - Be passed Yea: 80 Nay: 36—HJ 337
02/24/2011 House—Final Action - Passed; Yea: 75 Nay: 46—HJ 352
02/24/2011 Senate—Received and Introduced—SJ 265
02/25/2011 Senate—Referred to Committee on Ethics and Elections—SJ 270
03/08/2011 Senate—Withdrawn from Committee on Ethics and Elections; Referred Separately to Committee on Commerce and Committee on Ethics and Elections—SJ 296
03/15/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce and Committee on Ethics and Elections—SJ 351
03/15/2011 Senate—Now in Committee on Ethics and Elections
06/01/2012 Senate—Died in Senate Committee

- H 2131** Bill by Commerce and Economic Development

Misclassification of employees.

01/31/2011 House—Introduced—HJ 134

02/03/2011 House—Referred to Committee on Commerce and Economic Development—HJ 148
 06/01/2012 House—Died in Committee

H 2136 Bill by Health and Human Services
Prohibiting health insurance plans from creating specialty tiers within their prescription medication benefits and prohibiting a discriminatory practice relating to prescription medications.

02/03/2011 House—Introduced—HJ 148
 02/04/2011 House—Referred to Committee on Insurance—HJ 160
 06/01/2012 House—Died in Committee

H 2137 Bill by Children and Families
Enacting the protective parent reform act.

02/03/2011 House—Introduced—HJ 156
 02/04/2011 House—Referred to Committee on Children and Families—HJ 160
 02/08/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee

H 2138 Bill by Corrections and Juvenile Justice
Expanding crime of burglary to include entering to commit certain domestic crimes.

02/03/2011 House—Introduced—HJ 156
 02/04/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 160
 02/09/2012 House—Hearing: Wednesday, February 09, 2011, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2140 Bill by Special Legislative Streamlining
Repealing certain expired committees, task forces and reports to the legislature.

02/03/2011 House—Introduced—HJ 156
 02/04/2011 House—Referred to Committee on Government Efficiency—HJ 160
 02/15/2011 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 261
 02/17/2011 House—Committee of the Whole - Be passed—HJ 278
 02/18/2011 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 287
 02/21/2011 Senate—Received and Introduced—SJ 218
 02/22/2011 Senate—Referred to Committee on Ways and Means—SJ 224
 06/01/2012 Senate—Died in Senate Committee

H 2141 Bill by Energy and Utilities
Concerning property; requiring wind and solar agreements to run with surface estate.

02/03/2011 House—Introduced—HJ 156
 02/04/2011 House—Referred to Committee on Energy and Utilities—HJ 160
 02/17/2011 House—Committee Report recommending bill be passed as amended

by Committee on Energy and Utilities—HJ 279
 02/22/2011 House—Committee of the Whole - Be passed as amended—HJ 319
 02/23/2011 House—Final Action - Passed as amended; Yea: 117 Nay: 4—HJ 332
 02/23/2011 Senate—Received and Introduced—SJ 246
 02/24/2011 Senate—Referred to Committee on Utilities—SJ 249
 03/23/2011 Senate—Withdrawn from Committee on Utilities; Referred to
 Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Utilities—SJ 512
 03/28/2011 Senate—Withdrawn from Committee on Utilities; Referred to
 Committee on Local Government—SJ 512
 03/30/2011 Senate—Withdrawn from Committee on Local Government; Rereferred
 to Committee on Utilities—SJ 545
 06/01/2012 Senate—Died in Senate Committee

- H 2142** Bill by Children and Families
Children in need of care; court's authority.
 02/03/2011 House—Introduced—HJ 157
 02/04/2011 House—Referred to Committee on Judiciary—HJ 160
 06/01/2012 House—Died in Committee
- H 2143** Bill by Energy and Utilities
**Electric generation, transmission and distribution; relating to recovery of costs
 for energy storage devices.**
 02/04/2011 House—Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Energy and Utilities—HJ 171
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 9:00 AM Room 785 DSOB
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 9:00 AM Room 785
 DSOB
 02/18/2011 House—Hearing: Friday, February 18, 2011, 9:00 AM Room 785 DSOB
 06/01/2012 House—Died in Committee
- H 2144** Bill by Energy and Utilities
Natural gas public utilities; rates and charges.
 02/04/2011 House—Introduced—HJ 160
 02/07/2011 House—Referred to Committee on Energy and Utilities—HJ 171
 06/01/2012 House—Died in Committee
- H 2145** Bill by Aging and Long-term Care
Concerning orders for relief of abuse.
 02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Judiciary—HJ 171
 06/01/2012 House—Died in Committee
- H 2146** Bill by Representative Grange
Designating the official gemstone of the state of Kansas.

02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 171
 06/01/2012 House—Died in Committee

H 2148 Bill by Aging and Long-term Care
Increasing the certification requirements for continuing care retirement facilities.
 02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Aging and Long-term Care—HJ 171
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 9:00 AM Room 144-S
 06/01/2012 House—Died in Committee

H 2149 Bill by Agriculture and Natural Resources Budget Committee
Senate Substitute for HB 2149 by Committee on Ways and Means -- University engineering initiative act.
 02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 171
 02/17/2011 House—Hearing: Thursday, February 17, 2011, 1:30 PM Room 142-S
 02/18/2011 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources Budget—HJ 288
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 337
 02/24/2011 House—Final Action - Passed as amended; Yea: 91 Nay: 30—HJ 354
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Ways and Means—SJ 271
 03/21/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 405
 03/22/2011 Senate—Committee of the Whole - Substitute bill be passed—SJ 439
 03/23/2011 Senate—Final Action - Substitute passed; Yea: 28 Nay: 11—SJ 477
 03/28/2011 House—Ruled materially changed and referred to Committee on Appropriations—HJ 721
 06/01/2012 House—Died in Committee

H 2150 Bill by Commerce and Economic Development
Consumer protection; relating to automatic renewals.
 02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Judiciary—HJ 171
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2152 Bill by Corrections and Juvenile Justice
Amending the provisions of the crime of operating a vessel under the influence.
 02/04/2011 House—Introduced—HJ 165
 02/07/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 171
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 1:30 PM Room 144-S
 02/18/2011 House—Committee Report recommending bill be passed and placed on

Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 288

02/22/2011 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 309

02/25/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 396

06/01/2012 House—Died in Committee

H 2153 Bill by Elections
Campaign finance; reporting requirements for electioneering communications.

02/04/2011 House—Introduced—HJ 165

02/07/2011 House—Referred to Committee on Elections—HJ 171

06/01/2012 House—Died in Committee

H 2154 Bill by Elections
Prohibition outside employment of certain state officials

02/04/2011 House—Introduced—HJ 165

02/07/2011 House—Referred to Committee on Federal and State Affairs—HJ 171

06/01/2012 House—Died in Committee

H 2155 Bill by Elections
Elections; restrictions on the use of public service announcements

02/04/2011 House—Introduced—HJ 165

02/07/2011 House—Referred to Committee on Elections—HJ 171

06/01/2012 House—Died in Committee

H 2156 Bill by Representatives Suellentrop, Brown, Brunk, Crum, DeGraaf, Denning, Goico, Grange, Hayzlett, Hedke, Hermanson, Hoffman, Huebert, Kelley, Kinzer, Kleeb, Landwehr, Mast, McLeland, Montgomery, O'Neal, Osterman, Peck, Powell, Rhoades, Scapa, Seiwert, Vickrey, Weber
Five-year phase out of income tax on corporations.

02/04/2011 House—Introduced—HJ 165

02/07/2011 House—Referred to Committee on Taxation—HJ 171

06/01/2012 House—Died in Committee

H 2157 Bill by Government Efficiency
**Senate Substitute for HB 2157 by Committee on Assessment and Taxation
-Enacting the competitive bid protection act; motor vehicles, bidding preferences.**

02/04/2011 House—Introduced—HJ 166

02/07/2011 House—Referred to Committee on Government Efficiency—HJ 171

02/14/2011 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 254

02/22/2011 House—Committee of the Whole - Be passed—HJ 319

02/23/2011 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 333

02/23/2011 Senate—Received and Introduced—SJ 246

02/24/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 249

- 03/23/2011 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Ways and Means—SJ 508
- 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Assessment and Taxation—SJ 512
- 03/30/2011 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 581
- 04/01/2011 Senate—Committee of the Whole - Rereferred to Committee on Assessment and Taxation—SJ 591
- 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1702
- 03/20/2012 Senate—Committee of the Whole - Rereferred to Yea: 17 Nay: 23 Committee on Assessment and Taxation—SJ 1823
- 03/20/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1827
- 03/21/2012 Senate—Final Action - Substitute passed as amended; Yea: 23 Nay: 17—SJ 1948
- 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Carlson, Representative Kleeb and Representative Dillmore as conferees—HJ 2276
- 03/27/2012 Senate—Motion to accede adopted; Senator Donovan, Senator Apple and Senator Holland appointed as conferees—SJ 2085
- 05/10/2012 Senate—Conference Committee Report agree to disagree adopted; Senator Donovan, Senator Apple and Senator Holland appointed as second conferees—SJ 2689
- 05/11/2012 House—Conference Committee Report agree to disagree adopted; Representative Carlson, Representative Kleeb and Representative Dillmore appointed as second conferees—HJ 2680
- 05/14/2012 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 9—SJ 2836
- 05/16/2012 House—On substitute motion by Rep. Brown, conference committee report not adopted; Representative Carlson, Representative Kleeb and Representative Dillmore appointed as third conferees.—HJ 2803
- 05/17/2012 House—Motion to reconsider action adopted. On reconsideration, substitute motion to not adopt failed.—HJ 2882
- 05/17/2012 House—Conference Committee Report was adopted; Yea: 85 Nay: 31—HJ 2885
- 05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012—HJ 3220
- 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2158 Bill by Government Efficiency
Senate Substitute for HB 2158 by Committee on Ways and Means -- School districts; use of funds from tax levies on motor vehicles and recreational vehicles.

- 02/04/2011 House—Introduced—HJ 166
- 02/07/2011 House—Referred to Committee on Government Efficiency—HJ 171
- 02/18/2011 House—Committee Report recommending bill be passed as amended by Committee on Government Efficiency—HJ 289
- 02/22/2011 House—Committee of the Whole - Be passed as amended—HJ 319

02/23/2011 House—Final Action - Passed as amended; Yea: 119 Nay: 2—HJ 333
 02/23/2011 Senate—Received and Introduced—SJ 246
 02/24/2011 House—Referred to Committee on Ways and Means—SJ 249
 03/28/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Ways and Means—SJ 518
 03/29/2011 Senate—Committee of the Whole - Substitute bill be passed—SJ 527
 03/29/2011 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—
 SJ 542
 06/28/2012 House—Died on Calendar

- H 2159** Bill by Health and Human Services
**Substitute HB 2159 by Committee on Health and Human Services -- Physical
 therapists evaluation and treatment of patients.**
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Health and Human Services—HJ
 171
 01/18/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room 784
 Docking
 02/09/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Health and Human Services—HJ 1813
 02/23/2012 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 1940
 02/23/2012 House—Emergency Final Action - Substitute passed as amended; Yea:
 124 Nay: 0—HJ 1951
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
 1615
 03/07/2012 Senate—Withdrawn from Committee on Public Health and Welfare;
 Referred Separately to Committee on Public Health and Welfare,
 Committee on Financial Institutions and Insurance, Committee on
 Financial Institutions and Insurance and Committee on Public Health and
 Welfare—SJ 1633
 03/08/2012 Senate—Hearing: Thursday, March 15, 2012, 1:30 PM Room 546-S
 06/01/2012 Senate—Died in Senate Committee

- H 2160** Bill by Taxation
Establishing the simplified state tax structure committee
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Taxation—HJ 171
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 3:30 PM Room 783
 DSOB
 06/01/2012 House—Died in Committee

- H 2161** Bill by Taxation
**Senate Substitute for Substitute HB 2161 by Committee on Assessment and
 Taxation -- Earned income tax credit and homestead property tax
 refunds.**
 02/04/2011 House—Introduced—HJ 166

02/07/2011 House—Referred to Committee on Taxation—HJ 171
 03/08/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Taxation—HJ 434
 03/29/2011 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 793
 03/30/2011 House—Final Action - Substitute passed as amended; Yea: 69 Nay: 55
 —HJ 823
 03/30/2011 Senate—Received and Introduced—SJ 580
 03/31/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 584
 03/15/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Assessment and Taxation—SJ 1703
 06/01/2012 Senate—Died on Senate General Orders

- H 2162** Bill by Judiciary
Concerning expungement of arrest records; docket fee.
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 171
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2163** Bill by Judiciary
Amendments to laws regarding racial profiling.
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Judiciary—HJ 171
 02/18/2011 House—Hearing: Friday, February 18, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2164** Bill by Energy and Utilities
Concerning property; relating to ownership of pore space.
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Energy and Utilities—HJ 171
 02/11/2011 House—Hearing: Friday, February 11, 2011, 9:00 AM Room 785 DSOB
 06/01/2012 House—Died in Committee
- H 2165** Bill by Taxation
**Elimination of certain sales tax exemptions, imposition of sales tax on certain
 services, provision of sales tax exemption for certain purchases of
 food, and reduction of sales tax and certain income tax rates.**
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Taxation—HJ 171
 06/01/2012 House—Died in Committee
- H 2166** Bill by Appropriations
**Substitute HB 2166 by Committee on Local Government -- Pertaining to the
 publication of certain ordinances by cities.**
 02/04/2011 House—Introduced—HJ 166

02/07/2011 House—Referred to Committee on Local Government—HJ 171
 02/15/2012 House—Committee Report recommending substitute bill be passed by Committee on Local Government—HJ 1852
 02/23/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Substitute passed; Yea: 120 Nay: 3—HJ 1949
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 159-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1692
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

H 2167 Bill by Agriculture and Natural Resources
Limiting liability of property owners; noncommercial aviation activities.
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 171
 06/01/2012 House—Died in Committee

H 2168 Bill by Representative Schwab
Creating additional benefits for Kansas veterans.
 02/04/2011 House—Introduced—HJ 166
 02/07/2011 House—Referred separately to Committee on Veterans, Military and Homeland Security, Committee on Taxation, Committee on Veterans, Military and Homeland Security and Committee on Taxation—HJ 171
 02/10/2011 House—Hearing: Thursday, February 10, 2011, 9:00 AM Room 546-S
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee

H 2169 Bill by Transportation
Designating the junction of United States highway 24 and K-7 highway as the Representative Margaret Long interchange
 02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Transportation—HJ 192
 02/16/2011 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 269
 02/22/2011 House—Committee of the Whole - Motion to refer to committee failed Committee on Appropriations—HJ 312
 02/22/2011 House—Committee of the Whole - Be passed—HJ 312
 02/23/2011 House—Final Action - Passed; Yea: 72 Nay: 46—HJ 334
 02/23/2011 Senate—Received and Introduced—SJ 246
 02/24/2011 Senate—Referred to Committee on Transportation—SJ 249
 03/23/2011 Senate—Withdrawn from Committee on Transportation; Referred to

Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Transportation—SJ 512
 06/01/2012 Senate—Died in Senate Committee

H 2170 Bill by Transportation**Rail service improvement program loans and grants.**

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Transportation—HJ 192
 06/01/2012 House—Died in Committee

H 2171 Bill by Transportation**United States postal service vehicles; yielding right-of-way.**

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Transportation—HJ 192
 02/14/2011 House—Hearing: Monday, February 14, 2011, 1:30 PM Room 783
 DSOB
 02/16/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Transportation—HJ 269
 02/18/2011 House—Committee of the Whole - Rereferred to Committee on
 Transportation—HJ 288
 06/01/2012 House—Died in Committee

H 2173 Bill by Transportation**Kansas Highway Patrol; fees for certain services.**

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Transportation and Public Safety
 Budget—HJ 192
 02/22/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Transportation and Public Safety Budget—HJ 318
 02/25/2011 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 396
 03/14/2011 House—Withdrawn from Committee on Appropriations; Referred to
 Committee on Transportation and Public Safety Budget—HJ 478
 03/16/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Transportation and Public Safety Budget—HJ 520
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)

H 2174 Bill by Transportation**Duty of motorists to maintain 3 foot distance when passing bicyclists.**

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Transportation—HJ 192
 06/01/2012 House—Died in Committee

H 2175 Bill by Transportation**Kansas one map act; geographic information systems and services, policy board and officer.**

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Government Efficiency—HJ 192
 02/16/2011 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 268
 02/18/2011 House—Committee of the Whole - Be passed—HJ 288
 02/21/2011 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 303
 02/21/2011 Senate—Received and Introduced—SJ 218
 02/22/2011 Senate—Referred to Committee on Transportation—SJ 224
 03/03/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 282
 03/09/2011 Senate—Committee of the Whole - Be passed as amended—SJ 302
 03/09/2011 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 306
 03/17/2011 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Burgess, Representative Hayzlett and Representative Trimmer as conferees—HJ 538
 03/18/2011 Senate—Motion to accede adopted; Senator Umbarger, Senator Marshall and Senator Kultala appointed as conferees—SJ 389
 05/18/2012 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 3228
 05/19/2012 House—Conference Committee Report was adopted; Yea: 113 Nay: 0—HJ 2930
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Friday, 01 June 2012

H 2176 Bill by Taxation
Taxing subdivisions; budget submission date

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Taxation—HJ 192
 01/18/2012 House—Hearing: Thursday, January 26, 2012, 3:30 PM Room 783 Docking
 06/01/2012 House—Died in Committee

H 2177 Bill by Vision 2020
Amendments to school finance formula regarding the statewide levy and the local option budget.

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Education—HJ 192
 06/01/2012 House—Died in Committee

H 2178 Bill by Representative Sloan
Substitute HB 2178 by Committee on Federal and State Affairs -- Granting professional licenses to nonresident military spouses.

02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Federal and State Affairs—HJ 192
 03/16/2011 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 533
 03/29/2011 House—Committee of the Whole - Substitute bill be passed—HJ 792

03/30/2011 House—Final Action - Substitute passed; Yea: 123 Nay: 1—HJ 824
 03/30/2011 Senate—Received and Introduced—SJ 580
 03/31/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 584
 01/11/2012 Senate—Hearing: Wednesday, January 18, 2012, 10:30 AM Room 144-S
 01/18/2012 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1364
 02/01/2012 Senate—Committee of the Whole - Be passed—SJ 1407
 02/02/2012 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 1434
 02/10/2012 House—Enrolled and presented to Governor on Friday, February 10, 2012—HJ 1827
 02/14/2012 House—Approved by Governor on Tuesday, 14 February 2012—HJ 1847

- H 2179** Bill by Vision 2020
Amendments to the school finance formula regarding the statewide levy, the local option budget and the low enrollment weighting.
 02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Education—HJ 192
 06/01/2012 House—Died in Committee
- H 2180** Bill by Vision 2020
Amendments to school finance formula regarding the statewide levy, the local option budget and low enrollment weighting.
 02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Education—HJ 192
 06/01/2012 House—Died in Committee
- H 2181** Bill by Energy and Utilities
Utilities; transmission lines and easements.
 02/07/2011 House—Introduced—HJ 170
 02/08/2011 House—Referred to Committee on Energy and Utilities—HJ 192
 06/01/2012 House—Died in Committee
- H 2183** Bill by Agriculture and Natural Resources
An act concerning environmental protection; relating to the interstate environmental freedom compact.
 02/07/2011 House—Introduced—HJ 171
 02/08/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 192
 06/01/2012 House—Died in Committee
- H 2185** Bill by Local Government
Kansas open records act; civil penalties change.
 02/07/2011 House—Introduced—HJ 187
 02/08/2011 House—Referred to Committee on Judiciary—HJ 192
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

- H 2186** Bill by Local Government
Planning and zoning; blanket easements, subdivisions; void, exceptions.
02/07/2011 House—Introduced—HJ 187
02/08/2011 House—Referred to Committee on Local Government—HJ 192
02/15/2011 House—Hearing: Tuesday, February 15, 2011, 3:30 PM Room 144-S
06/01/2012 House—Died in Committee
- H 2187** Bill by Local Government
Platting land in unincorporated areas; certain counties.
02/07/2011 House—Introduced—HJ 187
02/08/2011 House—Referred to Committee on Local Government—HJ 192
02/15/2011 House—Hearing: Tuesday, February 15, 2011, 3:30 PM Room 144-S
06/01/2012 House—Died in Committee
- H 2188** Bill by Judiciary
**Substitute for HB 2188 by Committee on Corrections and Juvenile Justice --
Requiring fiscal notes for certain resolutions.**
02/07/2011 House—Introduced—HJ 187
02/08/2011 House—Referred to Committee on Corrections and Juvenile Justice—
HJ 192
02/22/2011 House—Committee Report recommending substitute bill be passed by
Committee on Corrections and Juvenile Justice—HJ 320
02/24/2011 House—Committee of the Whole - Substitute bill be passed—HJ 392
02/25/2011 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 404
03/02/2011 Senate—Received and Introduced—SJ 275
03/03/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 280
06/01/2012 Senate—Died in Senate Committee
- H 2189** Bill by Local Government
Certain municipalities; publications in a newspaper; changes.
02/07/2011 House—Introduced—HJ 187
02/08/2011 House—Referred to Committee on Local Government—HJ 192
06/01/2012 House—Died in Committee
- H 2190** Bill by Local Government
Counties; boards of county commissioners; term limit option.
02/07/2011 House—Introduced—HJ 187
02/08/2011 House—Referred to Committee on Local Government—HJ 192
02/08/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room 144-S
06/01/2012 House—Died in Committee
- H 2196** Bill by Corrections and Juvenile Justice
**Amending the rules of evidence regarding expert testimony in sexually violent
predator commitment cases.**
02/08/2011 House—Introduced—HJ 190
02/09/2011 House—Referred to Committee on Judiciary—HJ 213
02/22/2011 House—Committee Report recommending bill be passed by Committee

on Judiciary—HJ 318

02/24/2011 House—Committee of the Whole - Be passed—HJ 359

02/25/2011 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 405

03/02/2011 Senate—Received and Introduced—SJ 275

03/03/2011 Senate—Referred to Committee on Judiciary—SJ 280

03/23/2011 Senate—Withdrawn from Committee on Judiciary; Referred to
Committee on Ways and Means—SJ 508

06/01/2012 Senate—Died in Senate Committee

H 2198 Bill by Appropriations
School districts; capital improvements fund; limitation on state aid entitlement.

02/08/2011 House—Introduced—HJ 190

02/09/2011 House—Referred to Committee on Education Budget—HJ 213

06/01/2012 House—Died in Committee

H 2199 Bill by Transportation
Right-of-way violations; increased penalties.

02/08/2011 House—Introduced—HJ 190

02/09/2011 House—Referred to Committee on Corrections and Juvenile Justice—
HJ 213

02/18/2011 House—Hearing: Friday, February 18, 2011, 2:00 PM Room 144-S

06/01/2012 House—Died in Committee

H 2200 Bill by Education
**Senate Substitute for HB 2200 by Committee on Education -- School finance;
amendment to base state aid per pupil; increasing state prescribed
percentage for local option budget.**

02/08/2011 House—Introduced—HJ 190

02/09/2011 House—Referred to Committee on Education—HJ 213

02/15/2011 House—Committee Report recommending bill be passed as amended
by Committee on Education—HJ 261

02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 341

02/24/2011 House—Final Action - Passed as amended; Yea: 79 Nay: 42—HJ 355

02/24/2011 Senate—Received and Introduced—SJ 265

02/25/2011 Senate—Referred to Committee on Education—SJ 270

03/23/2011 Senate—Withdrawn from Committee on Education; Referred to
Committee on Ways and Means—SJ 508

03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
to Committee on Education—SJ 512

03/16/2012 Senate—Committee Report recommending substitute bill be passed by
Committee on Education—SJ 1725

03/20/2012 Senate—Committee of the Whole - Substitute bill be passed as
amended—SJ 1812

03/21/2012 Senate—Final Action - Substitute passed as amended; Yea: 31 Nay: 9—
SJ 1949

03/26/2012 House—Ruled materially changed and referred to Committee on
Education Budget—HJ 2276

06/01/2012 House—Died in Committee

- H 2202** Bill by Education
Nontraditional teacher licensure program.
 02/08/2011 House—Introduced—HJ 190
 02/09/2011 House—Referred to Committee on Education—HJ 213
 06/01/2012 House—Died in Committee
- H 2203** Bill by Education
Allowing expenditures for general operating expenses from certain school district funds.
 02/08/2011 House—Introduced—HJ 190
 02/09/2011 House—Referred to Committee on Education Budget—HJ 213
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 3:30 PM Room 159-S
 06/01/2012 House—Died in Committee
- H 2204** Bill by Education Budget Committee
Creating the college credit scholarship program.
 02/08/2011 House—Introduced—HJ 190
 02/09/2011 House—Referred to Committee on Education Budget—HJ 213
 06/01/2012 House—Died in Committee
- H 2206** Bill by Representative Kinzer
Child tax credit provided under Kansas income tax law.
 02/08/2011 House—Introduced—HJ 206
 02/09/2011 House—Referred to Committee on Taxation—HJ 213
 06/01/2012 House—Died in Committee
- H 2207** Bill by Judiciary
Substitute HB 2207 by Committee on Judiciary -- Relating to series limited liability companies.
 02/08/2011 House—Introduced—HJ 206
 02/09/2011 House—Referred to Committee on Judiciary—HJ 213
 01/18/2012 House—Hearing: Thursday, January 26, 2012, 3:30 PM Room 346-S
 02/10/2012 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1823
 02/14/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1840
 02/15/2012 House—Final Action - Substitute passed; Yea: 89 Nay: 35—HJ 1848
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Judiciary—SJ 1529
 02/22/2012 Senate—Hearing: Friday, March 02, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Substitute passed; Yea: 38 Nay: 2—SJ 1692
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312
- H 2208** Bill by Insurance

Individual market health insurance rate review act.

02/08/2011 House—Introduced—HJ 206

02/09/2011 House—Referred to Committee on Insurance—HJ 213

06/01/2012 House—Died in Committee

H 2209 Bill by Local Government**Legislature; prohibiting legislators from holding other paid elected positions.**

02/08/2011 House—Introduced—HJ 206

02/09/2011 House—Referred to Committee on Local Government—HJ 213

06/01/2012 House—Died in Committee

H 2210 Bill by Veterans, Military and Homeland Security**Establishing a program of mental health care and reintegration for returning veterans.**

02/08/2011 House—Introduced—HJ 206

02/09/2011 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 213

06/01/2012 House—Died in Committee

H 2211 Bill by Veterans, Military and Homeland Security**Creating a preference for contracts for the performance of any job or service by a disabled veteran business.**

02/08/2011 House—Introduced—HJ 206

02/09/2011 House—Referred to Committee on Commerce and Economic Development—HJ 213

01/18/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room 785 Docking

06/01/2012 House—Died in Committee

H 2212 Bill by Representatives Brunk, Arpke, Boman, Collins, Goodman, Gregory, Hermanson, Howell, Huebert, Hedke, Kiegerl, Osterman, Patton, Peck, Scapa, Weber**Transferring moneys to the local ad valorem tax reduction fund.**

02/08/2011 House—Introduced—HJ 206

02/09/2011 House—Referred to Committee on Taxation—HJ 213

01/18/2012 House—Hearing: Tuesday, January 24, 2012, 3:30 PM Room 783 Docking

02/06/2012 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 1786

02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1941

02/23/2012 House—Emergency Final Action - Passed as amended, Yea: 122 Nay: 2—HJ 1954

02/29/2012 House—Motion to reconsider on Emergency Final Action adopted.—HJ 1974

02/29/2012 House—Emergency Final Action - Not passed; Yea: 34 Nay: 83—HJ 1974

- H 2213** Bill by Corrections and Juvenile Justice
Providing possible exemptions from lifetime postrelease supervision for persons convicted of sexually violent crimes.
02/08/2011 House—Introduced—HJ 206
02/09/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 213
06/01/2012 House—Died in Committee
- H 2214** Bill by Health and Human Services
Prohibiting public funding of human cloning and destructive stem cell research.
02/08/2011 House—Introduced—HJ 206
02/09/2011 House—Referred to Committee on General Government Budget—HJ 213
06/01/2012 House—Died in Committee
- H 2215** Bill by Representative Ward
Bankruptcy; exempt property; earned income credit.
02/08/2011 House—Introduced—HJ 207
02/09/2011 House—Referred to Committee on Judiciary—HJ 213
06/01/2012 House—Died in Committee
- H 2216** Bill by Children and Families
Insurance; coverage for autism spectrum disorder.
02/08/2011 House—Introduced—HJ 207
02/09/2011 House—Referred to Committee on Insurance—HJ 213
06/01/2012 House—Died in Committee
- H 2217** Bill by Representative Sloan
Concerning authorized interception of wire, oral or electronic communications; issuance of order.
02/08/2011 House—Introduced—HJ 207
02/09/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 213
06/01/2012 House—Died in Committee
- H 2219** Bill by Judiciary
Providing child support for an exceptional child through the school year the child turns 23 years of age.
02/08/2011 House—Introduced—HJ 207
02/09/2011 House—Referred to Committee on Judiciary—HJ 213
02/17/2011 House—Hearing: Thursday, February 17, 2011, 3:30 PM Room 346-S
06/01/2012 House—Died in Committee

- H 2220** Bill by Taxation
Substitute HB 2220 by Committee on Taxation -- PEAK act, qualification for benefits and income tax credit.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Taxation—HJ 213
 03/07/2011 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 428
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2221** Bill by Government Efficiency
Substitute HB 2221 by Committee on Government Efficiency -- Relating to the employee award program.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Government Efficiency—HJ 213
 02/23/2011 House—Committee Report recommending substitute bill be passed by Committee on Government Efficiency—HJ 343
 02/25/2011 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 396
 03/04/2011 House—Withdrawn from Committee on Appropriations; Referred to Committee on Government Efficiency—HJ 423
 03/18/2011 House—Committee Report recommending bill be passed as amended by Committee on Government Efficiency—HJ 571
 03/22/2011 House—Committee of the Whole - Substitute bill be passed as amended—HJ 670
 03/23/2011 House—Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 674
 03/28/2011 Senate—Received and Introduced—SJ 513
 03/29/2011 Senate—Referred to Committee on Ways and Means—SJ 522
 06/01/2012 Senate—Died in Senate Committee
- H 2222** Bill by Children and Families
Labor organizations; persons prohibited from unionizing.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Commerce and Economic Development—HJ 213
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 1:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2223** Bill by Commerce and Economic Development
The Kansas immigration accountability act.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Federal and State Affairs—HJ 213
 06/01/2012 House—Died in Committee
- H 2224** Bill by Elections
Requiring candidates for state and federal offices to provide proof of citizenship.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Elections—HJ 213

02/01/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Elections—HJ 1870
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969

- H 2225** Bill by Transportation
Rail service improvement loans and grants.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Transportation—HJ 213
 06/01/2012 House—Died in Committee
- H 2226** Bill by Financial Institutions
Tax increment financing; allowing the financing of infrastructure if contiguous to TIF district; allowing cities to commit a portion of their sales tax for TIF.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Taxation—HJ 213
 06/01/2012 House—Died in Committee
- H 2228** Bill by Representative Kiegerl
Insurance; providing coverage for hearing aids.
 02/08/2011 House—Introduced—HJ 207
 02/09/2011 House—Referred to Committee on Insurance—HJ 213
 06/01/2012 House—Died in Committee
- H 2229** Bill by Commerce and Economic Development
Substitute HB 2229 by Committee on Federal and State Affairs -- Teachers; professional employees association; eual access act.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Federal and State Affairs—HJ 213
 03/16/2011 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 516
 03/29/2011 House—Committee of the Whole - Substitute bill be passed—HJ 792
 03/30/2011 House—Final Action - Substitute passed; Yea: 69 Nay: 55—HJ 825
 03/30/2011 Senate—Received and Introduced—SJ 580
 03/31/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 584
 06/01/2012 Senate—Died in Senate Committee
- H 2230** Bill by Transportation
Repealing K.S.A. 68-1038.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Government Efficiency—HJ 213
 02/16/2011 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 268
 02/18/2011 House—Committee of the Whole - Be passed—HJ 288
 02/21/2011 House—Final Action - Passed; Yea: 120 Nay: 1—HJ 304
 02/21/2011 Senate—Received and Introduced—SJ 218

02/22/2011 Senate—Referred to Committee on Transportation—SJ 224
 03/23/2011 Senate—Withdrawn from Committee on Transportation; Referred to
 Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred
 to Committee on Transportation—SJ 512
 06/26/2012 Senate—Died in Senate Committee

- H 2231** Bill by Agriculture and Natural Resources
Updating the provisions regarding water bank flex accounts.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 213
 02/18/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Agriculture and Natural Resources—HJ 288
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 337
 02/24/2011 House—Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 356
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Ways and Means—SJ 271
 06/01/2012 Senate—Died in Senate Committee
- H 2232** Bill by Corrections and Juvenile Justice
**Substitute HB 2232 by Committee on Corrections and Juvenile Justice --
 Amending the crime of possession of prescription-only drugs.**
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 213
 01/25/2012 House—Hearing: Thursday, February 02, 2012, 1:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Corrections and Juvenile Justice—HJ 1842
 02/20/2012 House—Committee of the Whole - Motion to recommend favorably for
 passage failed—HJ 1880
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969
- H 2233** Bill by Representative Aurand
School districts; eliminating the high enrollment weighting.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Education—HJ 213
 06/01/2012 House—Died in Committee
- H 2234** Bill by Education
Creating the early high school graduation scholarship program.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Education Budget—HJ 213
 02/23/2011 House—Withdrawn from Committee on Education Budget; Referred to
 Committee on Appropriations—HJ 340
 02/25/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Education Budget—HJ 396
 03/02/2011 House—Hearing: Wednesday, March 02, 2011, 3:30 PM Room 159-S

06/01/2012 House—Died in Committee

- H 2235** Bill by Commerce and Economic Development
Vehicle title loans; regulations.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Financial Institutions—HJ 213
 02/15/2011 House—Withdrawn from Committee on Financial Institutions; Referred to Committee on Commerce and Economic Development—HJ 260
 06/01/2012 House—Died in Committee
- H 2236** Bill by Representative Kinzer
Creating the special education scholarship program.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Education Budget—HJ 213
 06/01/2012 House—Died in Committee
- H 2237** Bill by Appropriations
Fire marshal; investigating authority.
 02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Judiciary—HJ 213
 06/01/2012 House—Died in Committee
- H 2238** Bill by Taxation
Concerning the state budget; economic impact statements and dynamic scoring.
 02/09/2011 House—Introduced—HJ 212
 02/10/2011 House—Referred to Committee on Taxation—HJ 220
 06/01/2012 House—Died in Committee
- H 2239** Bill by Local Government
Providing the district court with the authority to assess damage claims for vacating roads for counties less than 30,000.
 02/09/2011 House—Introduced—HJ 213
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 06/01/2012 House—Died in Committee
- H 2241** Bill by Health and Human Services
Senate Substitute for HB 2241 by Committee on Ways and Means - Authorizing transfer of moneys to local ad valorem tax reduction fund; distribution to political subdivisions.
 02/09/2011 House—Introduced—HJ 214
 02/10/2011 House—Referred to Committee on Health and Human Services—HJ 220
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 1:30 PM Room 784 DSOB
 02/21/2011 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 305

02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 337
 02/24/2011 House—Final Action - Passed as amended; Yea: 120 Nay: 1—HJ 357
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 271
 03/18/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 388
 03/23/2011 Senate—Committee of the Whole - Referred to Committee on Ways and Means—SJ 508
 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 512
 05/04/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 690
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1296
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1798
 03/20/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1827
 03/21/2012 Senate—Final Action - Substitute passed as amended; Yea: 38 Nay: 2—SJ 1950
 03/26/2012 House—Ruled materially changed and referred to Committee on Appropriations—HJ 2276
 06/01/2012 House—Died in Committee

- H 2242** Bill by Health and Human Services
Substitute for HB 2242 by Committee on Federal and State Affairs -- Vital Statistics; concerning death and unborn child death certificates.
 02/09/2011 House—Introduced—HJ 214
 02/10/2011 House—Referred to Committee on Federal and State Affairs—HJ 220
 03/17/2011 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 549
 06/01/2012 House—Died on Calendar
- H 2243** Bill by Representatives Dillmore, Burroughs, Carlin, Davis, Finney, Frownfelter, S. Gatewood, Henderson, Kuether, Lane, McCray-Miller, Pauls, Ruiz, Trimmer, Victors, Wetta, Winn, K. Wolf
Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
 02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Commerce and Economic Development—HJ 220
 06/01/2012 House—Died in Committee
- H 2244** Bill by Commerce and Economic Development
Continuing education for plumbing, electrical and mechanical licensees.
 02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Commerce and Economic Development—HJ 220

02/02/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room Docking Room 785

06/01/2012 House—Died in Committee

- H 2245** Bill by Education
Retaining students from grade-level promotion if not proficient on the reading state assessment for grade 3.
02/09/2011 House—Introduced—HJ 215
02/10/2011 House—Referred to Committee on Education—HJ 220
02/23/2011 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 340
03/14/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 477
02/20/2012 House—Withdrawn from Committee on Education; Referred to Committee on Education Budget—HJ 1875
06/01/2012 House—Died in Committee
- H 2246** Bill by Representative McCray-Miller
Mandatory paternity testing for every child born in the state.
02/09/2011 House—Introduced—HJ 215
02/10/2011 House—Referred to Committee on Judiciary—HJ 220
06/01/2012 House—Died in Committee
- H 2247** Bill by Transportation
Masonic lodge license plate.
02/09/2011 House—Introduced—HJ 215
02/10/2011 House—Referred to Committee on Transportation—HJ 220
06/01/2012 House—Died in Committee
- H 2248** Bill by Education Budget Committee
Requiring school districts to finance cost of remedial college courses.
02/09/2011 House—Introduced—HJ 215
02/10/2011 House—Referred to Committee on Education Budget—HJ 220
02/23/2011 House—Withdrawn from Committee on Education Budget; Referred to Committee on Appropriations—HJ 340
02/25/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 396
03/08/2011 House—Hearing: Tuesday, March 08, 2011, 3:30 PM Room 159-S
06/01/2012 House—Died in Committee
- H 2249** Bill by Corrections and Juvenile Justice
Senate Substitute for Senate Substitute for HB 2249 by Committee on Ways and Means -- Confidentiality of health information.
02/09/2011 House—Introduced—HJ 215
02/10/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 220
02/18/2011 House—Committee Report recommending bill be passed by Committee

on Corrections and Juvenile Justice—HJ 288
 02/22/2011 House—Committee of the Whole - Be passed—HJ 319
 02/23/2011 House—Final Action - Passed; Yea: 112 Nay: 9—HJ 336
 02/23/2011 Senate—Received and Introduced—SJ 246
 02/24/2011 Senate—Referred to Committee on Public Health and Welfare—SJ 249
 03/21/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 405
 03/23/2011 Senate—Committee of the Whole - Referred to Committee on Ways and
 Means—SJ 502
 05/01/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Ways and Means—SJ 2537
 05/03/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 2561
 05/03/2012 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—
 SJ 2576
 05/07/2012 House—Concurred with amendments; Yea: 108 Nay: 11—HJ 2460
 05/11/2012 House—Enrolled and presented to Governor on Friday, May 11, 2012—
 HJ 2749
 05/16/2012 House—Approved by Governor on Wednesday, 16 May 2012—HJ 2799

H 2250 Bill by Corrections and Juvenile Justice
Amending the drug code to include penalties based on amount.
 02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 220
 06/01/2012 House—Died in Committee

H 2251 Bill by Education
**Senate Substitute for HB 2251 by Committee on Education -- Continuation of
 statewide tax levy for public schools.**
 02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Education—HJ 220
 02/21/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Education—HJ 304
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 341
 02/24/2011 House—Final Action - Passed as amended; Yea: 77 Nay: 44—HJ 357
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Education—SJ 270
 03/17/2011 Senate—Committee Report recommending substitute bill be passed by
 Committee on Education—SJ 381
 03/22/2011 Senate—Committee of the Whole - Substitute bill be passed—SJ 434
 03/23/2011 Senate—Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 479
 03/28/2011 House—Ruled materially changed and referred to Committee on
 Education—HJ 721
 06/01/2012 House—Died in Committee

H 2252 Bill by Judiciary
**Restoration of spouse's former name after divorce; if divorced in another state,
 court shall restore name if copy of authenticated divorce decree.**

02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 01/13/2012 House—Hearing: Wednesday, January 18, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2253 Bill by Judiciary

Private rights of action; restrictions.

02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 01/18/2012 House—Hearing: Wednesday, January 25, 2012, 3:30 PM Room 346-S
 02/07/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 1794
 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
 02/16/2012 House—Final Action - Passed as amended; Yea: 117 Nay: 7—HJ 1856
 02/16/2012 Senate—Received and Introduced—SJ 1530
 02/17/2012 Senate—Referred to Committee on Judiciary—SJ 1538
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee

H 2254 Bill by Representatives Howell, Arpke, Boman, Brown, Brunk, Calloway, Collins, DeGraaf, Garber, Goico, Gonzalez, Goodman, Gregory, Hedke, Hermanson, M. Holmes, Huebert, Kelley, Kiegerl, Kinzer, Mast, McLeland, Meier, Mesa, Montgomery, O'Hara, Osterman, Otto, Patton, Peck, Rhoades, Ryckman, Scapa, Seiwert, Siegfried, Vickrey, Weber

Covenant marriages; procedures for divorce and separate maintenance.

02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 02/15/2011 House—Hearing: Tuesday, February 15, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2255 Bill by Representative Ballard

Council on obesity prevention and management

02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Health and Human Services—HJ 220
 06/01/2012 House—Died in Committee

H 2256 Bill by Commerce and Economic Development

Contracts with small minority businesses.

02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Commerce and Economic
 Development—HJ 220
 06/01/2012 House—Died in Committee

H 2257 Bill by Representative Otto

Determination of supplemental general state aid; creating school district enhancement fund; exemptions for statewide levy; income tax checkoff and withholding for school district contributions.

02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Education—HJ 220
 03/08/2011 House—Hearing: Tuesday, March 08, 2011, 9:00 AM Room 784 DSOB
 06/01/2012 House—Died in Committee

H 2259 Bill by Judiciary
Criminal procedure and appearance bonds.
 02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 220
 02/21/2011 House—Withdrawn from Committee on Corrections and Juvenile
 Justice; Referred to Committee on Appropriations—HJ 300
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Corrections and Juvenile Justice—HJ 340
 06/01/2012 House—Died in Committee

H 2260 Bill by Judiciary
Kansas preservation of religious freedom act.
 02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 02/08/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room 346-S
 02/22/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 1924
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 1927
 03/05/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 1985
 03/07/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 1998
 06/01/2012 House—Died on Calendar

H 2261 Bill by Representative Kinzer
Enacting the revised uniform limited liability company act.
 02/09/2011 House—Introduced—HJ 217
 02/10/2011 House—Referred to Committee on Judiciary—HJ 220
 01/18/2012 House—Hearing: Thursday, January 26, 2012, 3:30 PM Room 346-S
 01/25/2012 House—Hearing: Thursday, February 02, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2262 Bill by Representatives Arpke, Brown, Calloway, Cassidy, Fawcett, Goodman,
 Gregory, Henderson, Howell, Huebert, Johnson, Kelley, Kelly, Kuether,
 Loganbill, O'Brien, Proehl, Vickrey, Winn, B. Wolf
**Hiram Price Dillon House, conveyance to not-for-profit corporation for
 promotion of the arts.**
 02/09/2011 House—Introduced—HJ 218
 02/10/2011 House—Referred to Committee on General Government Budget—HJ
 220
 03/14/2011 House—Withdrawn from Committee on General Government Budget;

Referred to Committee on Appropriations—HJ 478
06/01/2012 House—Died in Committee

- H 2263** Bill by Representative Burgess
Increased employee contributions for KP&F members and removal of maximum retirement benefit provision.
02/09/2011 House—Introduced—HJ 218
02/10/2011 House—Referred to Committee on Pensions and Benefits—HJ 220
02/14/2011 House—Hearing: Monday, February 14, 2011, 9:00 AM Room 142-S
01/20/2012 House—Hearing: Monday, January 23, 2012, 9:00 AM Room 142-S
06/01/2012 House—Died in Committee
- H 2264** Bill by Taxation
Property tax exemption for mineral interest in real estate.
02/10/2011 House—Introduced—HJ 220
02/11/2011 House—Referred to Committee on Taxation—HJ 233
01/17/2012 House—Hearing: Wednesday, January 18, 2012, 3:30 PM Room Docking 783
06/01/2012 House—Died in Committee
- H 2265** Bill by Taxation
Redemption procedures and increased interest rates and penalties for delinquent property taxes on certain land and reduced redemption period for delinquent property taxes on vacant land in certain counties.
02/10/2011 House—Introduced—HJ 220
02/11/2011 House—Referred to Committee on Taxation—HJ 233
06/01/2012 House—Died in Committee
- H 2266** Bill by Taxation
Community improvement districts; notice of sales tax rate.
02/10/2011 House—Introduced—HJ 220
02/11/2011 House—Referred to Committee on Taxation—HJ 233
06/01/2012 House—Died in Committee
- H 2267** Bill by Energy and Utilities
Senate Substitute for HB 2267 by Committee on Local Government -- Uniform common interest owners bill of rights act; changes.
02/10/2011 House—Introduced—HJ 220
02/11/2011 House—Referred to Committee on Energy and Utilities—HJ 233
02/17/2011 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Energy and Utilities—HJ 279
02/22/2011 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 309
02/22/2011 Senate—Received and Introduced—SJ 225
02/23/2011 Senate—Referred to Committee on Utilities—SJ 237
03/23/2011 Senate—Withdrawn from Committee on Utilities; Referred to Committee on Ways and Means—SJ 508

- 03/28/2011 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Utilities—SJ 512
- 03/30/2011 Senate—Withdrawn from Committee on Utilities; Referred to Committee on Local Government—SJ 545
- 03/31/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Local Government—SJ 588
- 04/01/2011 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 610
- 04/01/2011 Senate—Emergency Final Action - Substitute passed as amended; Yea: 38 Nay: 0—SJ 611
- 05/03/2011 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Huebert, Representative Seiwert and Representative Mah as conferees—HJ 969
- 05/03/2011 Senate—Motion to accede adopted; Senator Reitz, Senator Apple and Senator Faust-Goudeau appointed as conferees—SJ 664
- 05/11/2012 House—Concurred with amendments in conference; Yea: 85 Nay: 32—HJ 2748
- 05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—HJ 2918
- 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2268 Bill by Government Efficiency
Collection of fees, charges, taxes and exactions by state agencies.

- 02/10/2011 House—Introduced—HJ 223
- 02/11/2011 House—Referred to Committee on Appropriations—HJ 233
- 03/04/2011 House—Withdrawn from Committee on Appropriations; Referred to Committee on Government Efficiency—HJ 423
- 06/01/2012 House—Died in Committee

H 2269 Bill by Education
School districts; finance; amendments to funding formula.

- 02/10/2011 House—Introduced—HJ 223
- 02/11/2011 House—Referred to Committee on Education—HJ 233
- 02/22/2011 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 315
- 02/24/2011 House—Committee of the Whole - Referred to Committee on Appropriations—HJ 392
- 03/03/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 422
- 03/22/2011 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 671
- 03/30/2011 House—Committee of the Whole - Be passed as amended—HJ 831
- 03/31/2011 House—Final Action - Passed as amended; Yea: 67 Nay: 56—HJ 838
- 04/01/2011 Senate—Received and Introduced—SJ 591
- 04/27/2011 Senate—Referred to Committee on Education—SJ 615
- 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 1:30 PM Room 152-S
- 06/01/2012 Senate—Died in Senate Committee

- H 2270** Bill by Education
Funding costs of nonproficient pupils not covered by general state aid from local funds.
 02/10/2011 House—Introduced—HJ 223
 02/11/2011 House—Referred to Committee on Education—HJ 233
 06/01/2012 House—Died in Committee
- H 2272** Bill by Agriculture and Natural Resources
Exempting certain minor construction projects from state and federal water regulations.
 02/10/2011 House—Introduced—HJ 224
 02/11/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 233
 02/17/2011 House—Hearing: Thursday, February 17, 2011, 9:00 AM Room 783 DSOB
 03/03/2011 House—Hearing: Thursday, March 03, 2011, 9:00 AM Room 783 DSOB
 06/01/2012 House—Died in Committee
- H 2273** Bill by Transportation
Designating a portion of K-99 as the Frankfurt Boys World War II highway.
 02/10/2011 House—Introduced—HJ 224
 02/11/2011 House—Referred to Committee on Transportation—HJ 233
 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 783 Docking
 01/25/2012 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1720
 01/31/2012 House—Committee of the Whole - Be passed as amended—HJ 1739
 02/01/2012 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 1745
 02/01/2012 Senate—Received and Introduced—SJ 1404
 02/02/2012 Senate—Referred to Committee on Transportation—SJ 1427
 02/02/2012 Senate—Hearing: Wednesday, February 08, 2012, 8:30 AM Room 152-S
 02/08/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1468
 02/22/2012 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1585
 03/02/2012 House—Enrolled and presented to Governor on Friday, March 02, 2012—HJ 1983
 03/09/2012 House—Approved by Governor on Friday, 09 March 2012
- H 2274** Bill by Transportation
Designating a portion of I-70 the Eisenhower/Truman Presidential Highway.
 02/10/2011 House—Introduced—HJ 224
 02/11/2011 House—Referred to Committee on Transportation—HJ 233
 06/01/2012 House—Died in Committee
- H 2275** Bill by Insurance

Health insurance; provider payments; no variation based upon the identity of the health insurer.

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Insurance—HJ 233

06/01/2012 House—Died in Committee

H 2276 Bill by Insurance
Health insurance; mandate lite health benefit plans, commissions, specially designed policies.

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Insurance—HJ 233

06/01/2012 House—Died in Committee

H 2277 Bill by Judiciary
Third and subsequent DUI offenders following county jail sentence shall serve under local supervision for one year; supervised by community corrections or court services.

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 233

02/21/2011 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 300

02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 340

06/01/2012 House—Died in Committee

H 2278 Bill by Veterans, Military and Homeland Security
Kansas hometown heroes fund checkoff.

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Taxation—HJ 233

06/01/2012 House—Died in Committee

H 2279 Bill by Health and Human Services
Coronal scaling by dental assistants

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Health and Human Services—HJ 233

06/01/2012 House—Died in Committee

H 2280 Bill by Health and Human Services
Kansas dental board; licensure of dental practitioners.

02/10/2011 House—Introduced—HJ 224

02/11/2011 House—Referred to Committee on Health and Human Services—HJ 233

02/17/2011 House—Hearing: Friday, February 18, 2011, 1:30 PM Room 784 DSOB

06/01/2012 House—Died in Committee

- H 2281** Bill by Children and Families
Appropriations for autism waiver for fiscal year 2012.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Appropriations—HJ 233
06/01/2012 House—Died in Committee
- H 2283** Bill by Judiciary
Lobbying; use of public funds.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Elections—HJ 233
06/01/2012 House—Died in Committee
- H 2284** Bill by Judiciary
Public funds for lobbying for a tax increase.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Elections—HJ 233
06/01/2012 House—Died in Committee
- H 2285** Bill by Transportation
Denying highway funds to cities and counties who enact stiffer penalties for seat belt violations.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Transportation—HJ 233
06/01/2012 House—Died in Committee
- H 2286** Bill by Education
School districts; finance; supplemental general state aid for certain districts.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Education—HJ 233
06/01/2012 House—Died in Committee
- H 2287** Bill by Taxation
Sales tax holiday which provides sales tax exemption for certain purchases of school supplies, computers and clothing.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Taxation—HJ 233
01/19/2012 House—Hearing: Wednesday, January 25, 2012, 3:30 PM Room Docking Room 783
06/01/2012 House—Died in Committee
- H 2288** Bill by Taxation
Assessed valuation of certain school districts.
02/10/2011 House—Introduced—HJ 224
02/11/2011 House—Referred to Committee on Education—HJ 233
06/01/2012 House—Died in Committee

- H 2289** Bill by Children and Families
Appropriations for waivers for fiscal year 2012.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Appropriations—HJ 233
 06/01/2012 House—Died in Committee
- H 2290** Bill by Education
Distribution of mineral severance tax revenue to school districts.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Taxation—HJ 233
 06/01/2012 House—Died in Committee
- H 2291** Bill by Insurance
Requiring automobile liability insurance policies to provide uninsured and underinsured motorist coverage for any person occupying the insured motor vehicle.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Insurance—HJ 233
 06/01/2012 House—Died in Committee
- H 2292** Bill by Insurance
Accident and health insurance; excluding coverage for certain abortions.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Insurance—HJ 233
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 3:30 PM Room 152-S
 02/22/2011 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 309
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance—HJ 340
 06/01/2012 House—Died in Committee
- H 2293** Bill by Insurance
Prohibiting state employees from receiving benefits and reimbursements for abortion procedures under a state health savings account plan.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Insurance—HJ 233
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 3:30 PM Room 152-S
 02/22/2011 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 309
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance—HJ 340
 06/01/2012 House—Died in Committee
- H 2294** Bill by Local Government
Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process.
 02/10/2011 House—Introduced—HJ 225

02/11/2011 House—Referred to Committee on Local Government—HJ 233
 02/21/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Local Government—HJ 306
 02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 341
 02/24/2011 House—Final Action - Passed as amended; Yea: 88 Nay: 33—HJ 358
 02/24/2011 Senate—Received and Introduced—SJ 265
 02/25/2011 Senate—Referred to Committee on Local Government—SJ 271
 06/01/2012 Senate—Died in Senate Committee

- H 2295** Bill by Agriculture and Natural Resources
**Substitute HB 2295 by Committee on Agriculture and Natural Resources --
 Amending hunting provisions concerning crossbows and deer hunting
 seasons.**
- 02/11/2011 House—Introduced—HJ 233
 02/14/2011 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 252
 01/31/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room 783
 Docking
 02/17/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Agriculture and Natural Resources—HJ 1869
 02/21/2012 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 1899
 02/22/2012 House—Final Action - Substitute passed as amended; Yea: 101 Nay: 22
 —HJ 1906
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Natural Resources—SJ 1577
 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 159-S
 06/01/2012 Senate—Died in Senate Committee

- H 2296** Bill by Aging and Long-term Care
**Substitute for HB 2296 by Social Services Budget Committee -- Establishing
 the joint committee on oversight of the closure of the Kansas
 neurological institute.**
- 02/11/2011 House—Introduced—HJ 233
 02/14/2011 House—Referred to Committee on Aging and Long-term Care—HJ 252
 02/23/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Aging and Long-term Care—HJ 342
 02/24/2011 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 348
 03/14/2011 House—Withdrawn from Committee on Appropriations; Referred to
 Committee on Social Services Budget—HJ 478
 03/16/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Social Services Budget—HJ 519
 03/30/2011 House—Committee of the Whole - Substitute bill be passed—HJ 827
 03/31/2011 House—Final Action - Substitute passed; Yea: 75 Nay: 48—HJ 839
 03/31/2011 Senate—Received and Introduced—SJ 585
 04/01/2011 Senate—Referred to Committee on Ways and Means—SJ 591
 06/01/2012 Senate—Died in Senate Committee

- H 2297** Bill by Veterans, Military and Homeland Security

Requiring courts to wait until a deployed soldier returns home before proceeding with foreclosure.

02/11/2011 House—Introduced—HJ 233

02/14/2011 House—Referred to Committee on Judiciary—HJ 252

01/25/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room 346-S

06/01/2012 House—Died in Committee

H 2298 Bill by Veterans, Military and Homeland Security
Granting authority to the executive director of the Kansas commission on veterans affairs to transfer funds between state general fund appropriated accounts.

02/11/2011 House—Introduced—HJ 233

02/14/2011 House—Referred to Committee on Appropriations—HJ 252

01/18/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room 346-S

01/25/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 346-S

01/30/2012 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 1734

02/07/2012 House—Committee of the Whole - Be passed—HJ 1792

02/08/2012 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 1800

02/08/2012 Senate—Received and Introduced—SJ 1465

02/09/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1481

02/22/2012 Senate—Hearing: Thursday, March 01, 2012, 10:30 AM Room 144-S

06/01/2012 Senate—Died in Senate Committee

H 2299 Bill by Veterans, Military and Homeland Security
Prohibiting cities and counties from issuing licenses and permits for merchant or security police.

02/11/2011 House—Introduced—HJ 233

02/14/2011 House—Referred to Committee on Local Government—HJ 252

06/01/2012 House—Died in Committee

H 2300 Bill by Federal and State Affairs
Legislature; job protection for persons elected or appointed to the state legislature.

02/11/2011 House—Introduced—HJ 233

02/14/2011 House—Referred to Committee on Federal and State Affairs—HJ 252

06/01/2012 House—Died in Committee

H 2301 Bill by Education
Closure of the school for the deaf and the school for the blind.

02/11/2011 House—Introduced—HJ 233

02/14/2011 House—Referred to Committee on Education—HJ 252

06/01/2012 House—Died in Committee

H 2302 Bill by Education
Charter schools; appeal of charter school denials to the state board of education; finance.

02/11/2011 House—Introduced—HJ 233
 02/14/2011 House—Referred to Committee on Education—HJ 252
 06/01/2012 House—Died in Committee

- H 2303** Bill by Energy and Utilities
Utilities; rate-making and variable time-of-day pricing.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Energy and Utilities—HJ 252
 02/16/2011 House—Hearing: Wednesday, February 16, 2011, 9:00 AM Room 785
 DSOB
 02/17/2011 House—Hearing: Thursday, February 17, 2011, 9:00 AM Room 785
 DSOB
 02/23/2011 House—Withdrawn from Committee on Energy and Utilities; Referred
 to Committee on Appropriations—HJ 344
 03/04/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Energy and Utilities—HJ 423
 06/01/2012 House—Died in Committee
- H 2304** Bill by Judiciary
Rules and regulations; nullification.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Energy and Utilities—HJ 252
 06/01/2012 House—Died in Committee
- H 2305** Bill by Judiciary
Board of Indigents' Defense Terms and Qualifications.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Judiciary—HJ 252
 02/18/2011 House—Withdrawn from Committee on Judiciary; Referred to
 Committee on Appropriations—HJ 285
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 340
 03/07/2011 House—Hearing: Monday, March 07, 2011, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2306** Bill by Government Efficiency
Relating to the requirements for purchase of motor vehicles by state agencies.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on General Government Budget—HJ
 252
 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 159-S
 06/01/2012 House—Died in Committee
- H 2307** Bill by Insurance
The Kansas residential roofing act.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Insurance—HJ 252

02/22/2011 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 309
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance—HJ 340
 06/01/2012 House—Died in Committee

- H 2308** Bill by Elections
Filing of reports by campaign treasurer.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Elections—HJ 252
 06/01/2012 House—Died in Committee
- H 2309** Bill by Elections
Allowing the transfer of campaign funds to a bona fide successor committee or candidacy.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Elections—HJ 252
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee
- H 2310** Bill by Pensions and Benefits
Working after retirement requirements for KPERS retirants.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Pensions and Benefits—HJ 252
 02/16/2011 House—Withdrawn from Committee on Pensions and Benefits;
 Referred to Committee on Appropriations—HJ 265
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 340
 03/02/2011 House—Hearing: Wednesday, March 02, 2011, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee
- H 2311** Bill by Pensions and Benefits
Enacting the Kansas public employees retirement system defined contribution act.
 02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Pensions and Benefits—HJ 252
 02/16/2011 House—Withdrawn from Committee on Pensions and Benefits;
 Referred to Committee on Appropriations—HJ 265
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 340
 03/07/2011 House—Hearing: Monday, March 07, 2011, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee
- H 2313** Bill by Judiciary
Senate Substitute for HB 2313 by Committee on Judiciary -- Creating an out of state juvenile offender registration requirement.
 02/11/2011 House—Introduced—HJ 240

02/14/2011 House—Referred to Committee on Judiciary—HJ 252
 01/18/2012 House—Hearing: Wednesday, January 25, 2012, 3:30 PM Room 346-S
 02/10/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 1823
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1941
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 1
 —HJ 1954
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Judiciary—SJ 1782
 03/21/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1952
 03/21/2012 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—
 SJ 1955
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Kinzer, Representative Patton and
 Representative Pauls as conferees—HJ 2276
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and
 Senator Haley appointed as conferees—SJ 2089
 05/03/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—
 SJ 2559
 05/09/2012 House—Conference Committee Report was adopted; Yea: 123 Nay: 1—
 HJ 2518
 05/14/2012 House—Enrolled and presented to Governor on Monday, May 14, 2012
 —HJ 2794
 05/18/2012 House—Approved by Governor on Thursday, 17 May 2012—HJ 2918

H 2314 Bill by Taxation**Finney county drainage district No. 2; election of directors.**

02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Local Government—HJ 252
 03/17/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Local Government—HJ 551
 04/29/2011 House—Committee of the Whole - Be passed as amended—HJ 938
 05/02/2011 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 942
 05/04/2011 Senate—Received and Introduced—SJ 666
 05/05/2011 Senate—Referred to Committee on Ways and Means—SJ 694
 06/01/2012 Senate—Died in Senate Committee

H 2315 Bill by Aging and Long-term Care**Relating to the licensure of home health agencies, home nursing agencies and home services agencies.**

02/11/2011 House—Introduced—HJ 240
 02/14/2011 House—Referred to Committee on Aging and Long-term Care—HJ 252
 01/11/2012 House—Hearing: Tuesday, January 17, 2012, 9:00 AM Room 144-S
 06/01/2012 House—Died in Committee

- H 2316** Bill by Vision 2020
Creating the bioscience investment fund.
 02/11/2011 House—Introduced—HJ 241
 02/14/2011 House—Referred to Committee on Taxation—HJ 252
 06/01/2012 House—Died in Committee
- H 2317** Bill by Taxation
Authorizing expensing of investment expenditures as a deduction in calculating Kansas income tax liability and IMPACT program changes.
 02/11/2011 House—Introduced—HJ 241
 02/14/2011 House—Referred to Committee on Taxation—HJ 252
 02/23/2011 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 343
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2318** Bill by Corrections and Juvenile Justice
Senate Substitute for Substitute HB 2318 by Committee on Judiciary --Further amendments to the recodified Kansas criminal code; creating the crime of endangerment; drug crimes; sentencing guidelines grid for drug crimes; drug treatment programs; disposition and supervision of offenders.
 02/11/2011 House—Introduced—HJ 241
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 252
 02/21/2011 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 300
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 340
 03/09/2011 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 440
 03/11/2011 House—Committee of the Whole - Substitute bill be passed—HJ 456
 03/14/2011 House—Final Action - Substitute passed; Yea: 113 Nay: 10—HJ 463
 03/14/2011 Senate—Received and Introduced—SJ 313
 03/15/2011 Senate—Referred to Committee on Judiciary—SJ 346
 01/30/2012 Senate—Hearing: Wednesday, February 01, 2012, 9:30 AM Room 548-S
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 1797
 03/21/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2024
 03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 2057
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2277
 03/28/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2089
 05/10/2012 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 2—SJ 2687
 05/14/2012 House—Conference Committee Report was adopted; Yea: 94 Nay: 22—

HJ 2781

05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012
—HJ 3220

05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2319** Bill by Corrections and Juvenile Justice
Authorizing house arrest for certain misdemeanors and nongrid felonies and updating definitions.
02/11/2011 House—Introduced—HJ 241
02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
HJ 252
02/16/2011 House—Hearing: Wednesday, February 16, 2011, 1:30 PM Room 144-S
02/22/2011 House—Committee Report recommending bill be passed as amended
by Committee on Corrections and Juvenile Justice—HJ 313
02/25/2011 House—Withdrawn from Calendar; Referred to Committee on
Appropriations—HJ 394
06/01/2012 House—Died in Committee
- H 2320** Bill by Agriculture and Natural Resources
Oil unit ownership and operation.
02/11/2011 House—Introduced—HJ 241
02/14/2011 House—Referred to Committee on Agriculture and Natural Resources
—HJ 252
06/01/2012 House—Died in Committee
- H 2322** Bill by Corrections and Juvenile Justice
Amendments to the Kansas offender registration act.
02/11/2011 House—Introduced—HJ 241
02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
HJ 252
02/17/2011 House—Withdrawn from Committee on Corrections and Juvenile
Justice; Referred to Committee on Appropriations—HJ 277
02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
Committee on Corrections and Juvenile Justice—HJ 340
03/16/2011 House—Committee Report recommending bill be passed as amended
by Committee on Corrections and Juvenile Justice—HJ 520
01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2323** Bill by Corrections and Juvenile Justice
Abolishing the death penalty; creating the crime of aggravated murder.
02/11/2011 House—Introduced—HJ 241
02/14/2011 House—Referred to Committee on Federal and State Affairs—HJ 252
06/01/2012 House—Died in Committee

- H 2324** Bill by Corrections and Juvenile Justice
Making it unlawful to furnish electronic cigarettes to people under 18 years of age.
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Federal and State Affairs—HJ 252
 01/26/2012 House—Withdrawn from Committee on Federal and State Affairs;
 Referred to Committee on Corrections and Juvenile Justice—HJ 1725
 02/02/2012 House—Hearing: Wednesday, February 08, 2012, 1:30 PM Room 144-S
 02/10/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Corrections and Juvenile Justice—HJ 1818
 02/16/2012 House—Committee of the Whole - Be passed as amended—HJ 1859
 02/17/2012 House—Final Action - Passed as amended; Yea: 112 Nay: 6—HJ 1864
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 548-S
 03/13/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Federal and State Affairs—SJ 1657
 03/14/2012 Senate—Hearing: Thursday, March 15, 2012, 10:30 AM Room 144-S
 04/27/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 2298
 05/03/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2561
 05/03/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0
 —SJ 2576
 05/09/2012 House—Concurred with amendments; Yea: 115 Nay: 9—HJ 2495
 05/14/2012 House—Enrolled and presented to Governor on Monday, May 14, 2012
 —HJ 2794
 05/18/2012 House—Approved by Governor on Thursday, 17 May 2012—HJ 2904
- H 2325** Bill by Corrections and Juvenile Justice
Eliminating postrelease supervision periods equal to good time credit earned.
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 252
 06/01/2012 House—Died in Committee
- H 2326** Bill by Corrections and Juvenile Justice
Authorizing the use of a standardized offender assessment test to determine the placement of offenders.
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 252
 06/01/2012 House—Died in Committee
- H 2327** Bill by Corrections and Juvenile Justice
Allowing veterans with PTSD to seek mental health treatment upon certain convictions.
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—

HJ 252

06/01/2012 House—Died in Committee

H 2328 Bill by Pensions and Benefits**Employer contributions for KPERS school participating employers.**

02/11/2011 House—Introduced—HJ 242

02/14/2011 House—Referred to Committee on Pensions and Benefits—HJ 252

02/16/2011 House—Withdrawn from Committee on Pensions and Benefits;

Referred to Committee on Appropriations—HJ 265

02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Pensions and Benefits—HJ 340

03/02/2011 House—Hearing: Wednesday, March 02, 2011, 9:00 AM Room 142-S

06/01/2012 House—Died in Committee

H 2329 Bill by Corrections and Juvenile Justice**Senate Substitute for HB 2329 by Committee on Reapportionment --
Redistricting; Congressional districts.**

02/11/2011 House—Introduced—HJ 242

02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
HJ 25202/21/2011 House—Committee Report recommending bill be passed as amended
by Committee on Corrections and Juvenile Justice—HJ 304

02/23/2011 House—Committee of the Whole - Be passed as amended—HJ 340

02/24/2011 House—Final Action - Passed as amended; Yea: 110 Nay: 11—HJ 358

02/24/2011 Senate—Received and Introduced—SJ 265

02/25/2011 Senate—Referred to Committee on Judiciary—SJ 270

03/01/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
Committee on Reapportionment—SJ 161505/02/2012 Senate—Committee Report recommending substitute bill be passed by
Committee on Reapportionment—SJ 2545

06/01/2012 Senate—Died on Senate General Orders

H 2330 Bill by Commerce and Economic Development**Enacting the cannabis compassion and care act.**

02/11/2011 House—Introduced—HJ 242

02/14/2011 House—Referred to Committee on Health and Human Services—HJ
252

06/01/2012 House—Died in Committee

H 2331 Bill by Taxation**Creating rural opportunity zones.**

02/11/2011 House—Introduced—HJ 242

02/14/2011 House—Referred to Committee on Taxation—HJ 252

02/21/2011 House—Committee Report recommending bill be passed as amended
by Committee on Taxation—HJ 306

01/26/2012 House—Stricken from the Calendar (House Rule 2307)

- H 2332** Bill by Judiciary
Sexual exploitation of a child: increasing the penalty for certain offenses.
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 252
 06/01/2012 House—Died in Committee
- H 2333** Bill by Pensions and Benefits
**Senate Substitute for Substitute for HB 2333 by KPERS Select Committee
 --Enacting KPERS act of 2015 and other modifications to KPERS.**
 02/11/2011 House—Introduced—HJ 242
 02/14/2011 House—Referred to Committee on Pensions and Benefits—HJ 252
 02/16/2011 House—Withdrawn from Committee on Pensions and Benefits;
 Referred to Committee on Appropriations—HJ 265
 02/23/2011 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Pensions and Benefits—HJ 340
 03/17/2011 House—Committee Report recommending substitute bill be passed by
 Committee on Pensions and Benefits—HJ 560
 03/23/2011 House—Committee of the Whole - Be passed as amended—HJ 707
 03/28/2011 House—Final Action - Substitute passed as amended; Yea: 68 Nay: 54
 —HJ 722
 03/29/2011 Senate—Received and Introduced—SJ 524
 03/30/2011 Senate—Referred to Committee on KPERS Select—SJ 545
 05/02/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on KPERS Select—SJ 2545
 05/03/2012 Senate—Committee of the Whole - Substitute bill be passed as
 amended—SJ 2565
 05/03/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea:
 32 Nay: 8—SJ 2576
 05/04/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative M. Holmes, Representative Grange
 and Representative Ruiz as conferees—HJ 2419
 05/07/2012 Senate—Motion to accede adopted; Senator Morris, Senator King and
 Senator Kelly appointed as conferees—SJ 2584
 05/17/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 2—
 SJ 3123
 05/17/2012 House—Conference Committee Report was adopted; Yea: 74 Nay: 42—
 HJ 2899
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Friday, 01 June 2012
- H 2334** Bill by Corrections and Juvenile Justice
Creating new procedures to determine a defendant's competency to stand trial.
 02/11/2011 House—Introduced—HJ 243
 02/14/2011 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 252
 02/14/2011 House—Hearing: Monday, February 14, 2011, 1:00 PM Room 144-S
 06/01/2012 House—Died in Committee

- H 2335** Bill by Federal and State Affairs
Kansas act against discrimination; disability amendments.
 02/14/2011 House—Introduced—HJ 251
 02/15/2011 House—Referred to Committee on Judiciary—HJ 260
 03/15/2011 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 504
 02/01/2012 House—Committee of the Whole - Be passed as amended—HJ 1747
 02/02/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1762
 02/02/2012 Senate—Received and Introduced—SJ 1428
 02/03/2012 Senate—Referred to Committee on Judiciary—SJ 1440
 02/22/2012 Senate—Hearing: Friday, March 02, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1692
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312
- H 2337** Bill by Federal and State Affairs
Licensing of abortion clinics by department of health and environment.
 02/14/2011 House—Introduced—HJ 254
 02/15/2011 House—Referred to Committee on Federal and State Affairs—HJ 260
 03/17/2011 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 549
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2338** Bill by Taxation
Data Centers; sales tax exemptions.
 02/15/2011 House—Introduced—HJ 257
 02/16/2011 House—Referred to Committee on Taxation—HJ 265
 06/01/2012 House—Died in Committee
- H 2340** Bill by Federal and State Affairs
Substitute for HB 2340 by Committee on Health and Human Services -- Removal of the casino exemption from the smoking ban; addition of annual smoking event exemption.
 02/15/2011 House—Introduced—HJ 262
 02/16/2011 House—Referred to Committee on Health and Human Services—HJ 265
 03/18/2011 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 581
 03/22/2011 House—Committee of the Whole - Substitute bill be passed as amended—HJ 670
 03/23/2011 House—Final Action - Substitute passed as amended; Yea: 97 Nay: 26—HJ 675
 03/28/2011 Senate—Received and Introduced—SJ 513

03/29/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 522
01/25/2012 Senate—Hearing: Thursday, February 02, 2012, 10:30 AM Room 144-S
06/01/2012 Senate—Died in Senate Committee

- H 2341** Bill by Appropriations
Requiring certain beverage containers to be redeemable.
02/16/2011 House—Introduced—HJ 264
02/17/2011 House—Referred to Committee on Commerce and Economic
Development—HJ 276
06/01/2012 House—Died in Committee
- H 2342** Bill by Taxation
Property taxation; appraisal; mill levy adjustments.
02/16/2011 House—Introduced—HJ 269
02/17/2011 House—Referred to Committee on Taxation—HJ 276
06/01/2012 House—Died in Committee
- H 2343** Bill by Federal and State Affairs
Relating to custody for adoption.
02/16/2011 House—Introduced—HJ 269
02/17/2011 House—Referred to Committee on Judiciary—HJ 276
06/01/2012 House—Died in Committee
- H 2344** Bill by Federal and State Affairs
Relating to permanency planning.
02/16/2011 House—Introduced—HJ 269
02/17/2011 House—Referred to Committee on Judiciary—HJ 276
06/01/2012 House—Died in Committee
- H 2345** Bill by Federal and State Affairs
Notification of parties of a temporary hearing.
02/16/2011 House—Introduced—HJ 269
02/17/2011 House—Referred to Committee on Judiciary—HJ 276
06/01/2012 House—Died in Committee
- H 2346** Bill by Federal and State Affairs
**Creating the classification of "aggravated sex offender;" creating additional
penalties and restrictions for sex offenders.**
02/16/2011 House—Introduced—HJ 269
02/17/2011 House—Referred to Committee on Judiciary—HJ 276
06/01/2012 House—Died in Committee
- H 2347** Bill by Taxation
Earned income tax credit amount decreased and made nonrefundable.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285

03/16/2011 House—Committee Report recommending bill be passed as amended
by Committee on Taxation—HJ 520
06/01/2012 House—Died on Calendar

- H 2348** Bill by Taxation
Requiring social security numbers on Kansas income tax returns.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285
03/08/2011 House—Hearing: Tuesday, March 08, 2011, 3:30 PM Room 783 DSOB
06/01/2012 House—Died in Committee
- H 2349** Bill by Taxation
Requiring social security numbers in support of dependent care expenses.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285
03/08/2011 House—Hearing: Tuesday, March 08, 2011, 3:30 PM Room 783 DSOB
06/01/2012 House—Died in Committee
- H 2350** Bill by Taxation
Imposing a payment in lieu of tax on certain pipeline property exempt from property taxation.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285
02/01/2012 House—Hearing: Monday, February 06, 2012, 3:30 PM Room 783-DSOB
06/01/2012 House—Died in Committee
- H 2351** Bill by Taxation
Requiring dynamic scoring analysis in preparation of fiscal notes for legislative bills.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285
06/01/2012 House—Died in Committee
- H 2352** Bill by Taxation
Notice and opportunity to be heard for counties in public utility exemption application process.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Taxation—HJ 285
06/01/2012 House—Died in Committee
- H 2353** Bill by Federal and State Affairs
Personal and family protection act; amendments.
02/17/2011 House—Introduced—HJ 274
02/18/2011 House—Referred to Committee on Federal and State Affairs—HJ 285
01/26/2012 House—Hearing: Thursday, January 26, 2012, 1:30 PM Room 346-S
02/09/2012 House—Committee Report recommending bill be passed as amended

by Committee on Federal and State Affairs—HJ 1810
 03/09/2012 House—Motion by Rep. Mah to re-refer to Committee on Federal and State Affairs failed. Committee on Federal and State Affairs—HJ 2016
 03/09/2012 House—Committee of the Whole - Be passed as amended—HJ 2017
 03/12/2012 House—Final Action - Passed as amended; Yea: 70 Nay: 54—HJ 2031
 03/12/2012 Senate—Received and Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1656
 06/01/2012 Senate—Died in Senate Committee

- H 2354** Bill by Federal and State Affairs
State owned and operated casinos; north central Kansas gaming zone, Geary County.
 02/17/2011 House—Introduced—HJ 274
 02/18/2011 House—Referred to Committee on Federal and State Affairs—HJ 285
 06/01/2012 House—Died in Committee
- H 2355** Bill by Taxation
Requiring social security numbers in support of claims for food sales tax refunds.
 02/17/2011 House—Introduced—HJ 280
 02/18/2011 House—Referred to Committee on Taxation—HJ 285
 03/08/2011 House—Hearing: Tuesday, March 08, 2011, 3:30 PM Room 783 DSOB
 06/01/2012 House—Died in Committee
- H 2356** Bill by Appropriations
Increasing earnings limitation for employment after retirement by a KPERS retiree with certain KPERS participating employers.
 02/18/2011 House—Introduced—HJ 284
 02/21/2011 House—Referred to Committee on Pensions and Benefits—HJ 300
 06/01/2012 House—Died in Committee
- H 2357** Bill by Appropriations
Senate Substitute for HB 2357 by Committee on Ways and Means -- Bioscience authority; replacing the member appointed by KTEC with the secretary of commerce.
 02/18/2011 House—Introduced—HJ 284
 02/21/2011 House—Referred to Committee on Agriculture and Natural Resources—HJ 300
 03/14/2011 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 474
 03/16/2011 House—Committee of the Whole - Be passed as amended—HJ 516
 03/17/2011 House—Final Action - Passed as amended; Yea: 118 Nay: 2—HJ 537
 03/17/2011 Senate—Received and Introduced—SJ 375
 03/18/2011 Senate—Referred to Committee on Ways and Means—SJ 384
 03/30/2011 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 582
 05/02/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 653

05/04/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 691

05/11/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 854

06/01/2012 Senate—Died in Senate Committee

- H 2358** Bill by Appropriations
Decreasing sales tax rate and earned income tax credit and food sales tax refund amounts.
02/18/2011 House—Introduced—HJ 284
02/21/2011 House—Referred to Committee on Taxation—HJ 300
06/01/2012 House—Died in Committee
- H 2359** Bill by Appropriations
Adding the department of corrections to statutes regarding payment of health care expenses for people in custody.
02/18/2011 House—Introduced—HJ 284
02/21/2011 House—Referred to Committee on Transportation and Public Safety Budget—HJ 300
06/01/2012 House—Died in Committee
- H 2360** Bill by Appropriations
School districts; uniform chart of accounts.
02/18/2011 House—Introduced—HJ 293
02/21/2011 House—Referred to Committee on Education Budget—HJ 300
03/10/2011 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 452
01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2361** Bill by Taxation
Sales tax exemption for sales of and purchases by Civil Air Patrol.
02/21/2011 House—Introduced—HJ 299
02/22/2011 House—Referred to Committee on Taxation—HJ 308
06/01/2012 House—Died in Committee
- H 2362** Bill by Appropriations
Appropriations for waivers for fiscal year 2012, 2013 and 2014.
02/22/2011 House—Introduced—HJ 321
02/23/2011 House—Referred to Committee on Appropriations—HJ 328
06/01/2012 House—Died in Committee
- H 2363** Bill by Appropriations
Gubernatorial inauguration donations; disposition of residual monies.
02/23/2011 House—Introduced—HJ 327
02/24/2011 House—Referred to Committee on Elections—HJ 348
06/01/2012 House—Died in Committee

- H 2364** Bill by Appropriations
Relating to voter identification.
02/23/2011 House—Introduced—HJ 344
02/24/2011 House—Referred to Committee on Elections—HJ 348
06/01/2012 House—Died in Committee
- H 2365** Bill by Taxation
Imposing a tax on wire transmission of moneys outside the state.
02/24/2011 House—Introduced—HJ 392
02/25/2011 House—Referred to Committee on Taxation—HJ 394
06/01/2012 House—Died in Committee
- H 2366** Bill by Taxation
Sales tax authority for Douglas County.
03/02/2011 House—Introduced—HJ 414
03/03/2011 House—Referred to Committee on Taxation—HJ 422
06/01/2012 House—Died in Committee
- H 2367** Bill by Taxation
Schools; authorizing a tax credit to be used for educational scholarships.
03/03/2011 House—Introduced—HJ 419
03/04/2011 House—Referred to Committee on Education—HJ 423
06/01/2012 House—Died in Committee
- H 2368** Bill by Appropriations
Concerning appropriations; deleting the 20% credit to the state general fund.
03/03/2011 House—Introduced—HJ 419
03/04/2011 House—Referred to Committee on Appropriations—HJ 423
03/09/2011 House—Committee Report recommending bill be passed as amended
by Committee on Appropriations—HJ 439
01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2369** Bill by Appropriations
Implementation of state fire marshal orders by a board of education.
03/03/2011 House—Introduced—HJ 419
03/04/2011 House—Referred to Committee on Education—HJ 423
06/01/2012 House—Died in Committee
- H 2370** Bill by Appropriations
Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management.
03/03/2011 House—Introduced—HJ 419
03/04/2011 House—Referred to Committee on Transportation and Public Safety
Budget—HJ 423
06/01/2012 House—Died in Committee

- H 2371** Bill by Federal and State Affairs
Senate Substitute for HB 2371 by Committee on Reapportionment -- State redistricting.
 03/03/2011 House—Introduced—HJ 420
 03/04/2011 House—Referred to Committee on Corrections and Juvenile Justice—HJ 423
 03/10/2011 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 451
 03/15/2011 House—Committee of the Whole - Be passed as amended—HJ 503
 03/16/2011 House—Final Action - Passed as amended; Yea: 116 Nay: 7—HJ 514
 03/16/2011 Senate—Received and Introduced—SJ 365
 03/17/2011 Senate—Referred to Committee on Judiciary—SJ 374
 01/25/2012 Senate—Hearing: Wednesday, February 01, 2012, 10:30 AM Room 144-S
 03/01/2012 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Reapportionment—SJ 1615
 04/30/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Reapportionment—SJ 2306
 05/01/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2311
 05/01/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 21 Nay: 19—SJ 2535
- H 2372** Bill by Federal and State Affairs
Requiring verification of employment eligibility and making other amendments concerning immigration.
 03/04/2011 House—Introduced—HJ 423
 03/07/2011 House—Referred to Committee on Judiciary—HJ 427
 03/22/2011 House—Motion to withdraw from Committee on Judiciary pending—HJ 671
 03/23/2011 House—Motion to withdraw from Committee on Judiciary not adopted; —HJ 674
 06/01/2012 House—Died in Committee
- H 2373** Bill by Federal and State Affairs
Combining life insurance with certain other riders such as for specific illness or disease coverage.
 03/07/2011 House—Introduced—HJ 427
 03/08/2011 House—Referred to Committee on Insurance—HJ 431
 03/01/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room Room 152-S
 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 2098
 06/01/2012 House—Died on Calendar
- H 2374** Bill by Appropriations
Appropriations for FY 2011, FY 2012 and FY 2013 for various state agencies.
 03/07/2011 House—Introduced—HJ 427

03/08/2011 House—Referred to Committee on Appropriations—HJ 430
 03/09/2011 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 439
 03/14/2011 House—Committee of the Whole - Rereferred to Committee on Appropriations—HJ 473
 03/14/2011 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 478
 03/15/2011 House—Committee of the Whole - Be passed as amended—HJ 504
 03/16/2011 House—Final Action - Passed as amended; Yea: 70 Nay: 53—HJ 515
 03/17/2011 Senate—Received and Introduced—SJ 375
 03/18/2011 Senate—Referred to Committee on Ways and Means—SJ 384
 06/01/2012 Senate—Died in Senate Committee

- H 2375** Bill by Appropriations
Creating acts providing for school accountability and parental choice.
 03/09/2011 House—Introduced—HJ 437
 03/10/2011 House—Referred to Committee on Education—HJ 449
 01/26/2012 House—Hearing: Wednesday, February 01, 2012, 3:30 PM Room Docking Room 711
 06/01/2012 House—Died in Committee
- H 2376** Bill by Appropriations
Amending provisions of the Kansas uniform securities act relating to adoption of federal statutes and rules by reference; registration requirements; fees; securities act fee fund and investor education fund.
 03/09/2011 House—Introduced—HJ 437
 03/10/2011 House—Referred to Committee on Financial Institutions—HJ 449
 06/01/2012 House—Died in Committee
- H 2377** Bill by Federal and State Affairs
Creating the no taxpayer funding for abortion act; amending laws relating to late-term abortion.
 03/09/2011 House—Introduced—HJ 444
 03/10/2011 House—Referred to Committee on Federal and State Affairs—HJ 449
 06/01/2012 House—Died in Committee
- H 2378** Bill by Taxation
Authorizing sales tax authority for counties to establish community children's service fund to provide services for children and youth.
 03/10/2011 House—Introduced—HJ 452
 03/11/2011 House—Referred to Committee on Taxation—HJ 455
 06/01/2012 House—Died in Committee
- H 2379** Bill by Taxation
Reallocation of assessments after exemption of property and issuance of bonds in community improvement districts.
 03/10/2011 House—Introduced—HJ 452

03/11/2011 House—Referred to Committee on Taxation—HJ 455
 06/01/2012 House—Died in Committee

H 2380 Bill by Appropriations
Veterans benefit lottery game, disposition of net profits, national guard benefit lottery game fund and veterans benefit lottery game fund established.

03/10/2011 House—Introduced—HJ 452
 03/11/2011 House—Referred to Committee on Federal and State Affairs—HJ 455
 06/01/2012 House—Died in Committee

H 2381 Bill by Taxation
Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution.

03/10/2011 House—Introduced—HJ 452
 03/11/2011 House—Referred to Committee on Taxation—HJ 455
 03/15/2011 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 506
 06/01/2012 House—Died on Calendar

H 2382 Bill by Appropriations
Senate Substitute for HB2382 by Committee on Ways and Means - concerning economic development

03/11/2011 House—Introduced—HJ 454
 03/14/2011 House—Referred to Committee on Appropriations—HJ 462
 03/28/2011 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 728
 04/01/2011 House—Committee of the Whole - Be passed as amended—HJ 861
 04/01/2011 House—Emergency Final Action - Passed as amended; Yea: 91 Nay: 30—HJ 864
 04/27/2011 Senate—Received and Introduced—SJ 618
 04/28/2011 Senate—Referred to Committee on Ways and Means—SJ 631
 03/14/2012 Senate—Hearing: Friday, March 16, 2012, 10:30 AM Room 548-S
 03/19/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1788
 03/27/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 2078
 03/27/2012 Senate—Emergency Final Action - Substitute passed; Yea: 27 Nay: 13—SJ 2079
 05/20/2012 House—Concurred with amendments; Yea: 80 Nay: 26—HJ 3219
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Thursday, 31 May 2012

H 2383 Bill by Appropriations
Senate Substitute for HB 2383 by Committee on Ways and Means -- Appropriations for FY 2011 through FY 2016 for various state agencies, omnibus appropriation act and omnibus reconciliation spending limit bill.

03/11/2011 House—Introduced—HJ 455
 03/14/2011 House—Referred to Committee on Appropriations—HJ 462

03/28/2011 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 729
 03/31/2011 House—Committee of the Whole - Be passed as amended—HJ 858
 03/31/2011 House—Emergency Final Action - Passed as amended; Yea: 69 Nay: 52—HJ 859
 04/01/2011 Senate—Received and Introduced—SJ 591
 04/27/2011 Senate—Referred to Committee on Ways and Means—SJ 615
 05/09/2011 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 754
 05/12/2011 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1296
 06/01/2012 Senate—Died in Senate Committee

- H 2384** Bill by Federal and State Affairs
Kansas preservation of religious freedom act.
 03/11/2011 House—Introduced—HJ 460
 03/14/2011 House—Referred to Committee on Federal and State Affairs—HJ 462
 06/01/2012 House—Died in Committee
- H 2385** Bill by Federal and State Affairs
Creating the relevant efficient academic learning education act.
 03/11/2011 House—Introduced—HJ 460
 03/14/2011 House—Referred to Committee on Education—HJ 462
 06/01/2012 House—Died in Committee
- H 2386** Bill by Federal and State Affairs
Veterinary school students; spaying or neutering dogs and cats; animal shelters.
 03/11/2011 House—Introduced—HJ 460
 03/14/2011 House—Referred to Committee on Education—HJ 462
 03/21/2011 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 593
 03/23/2011 House—Committee of the Whole - Be passed as amended—HJ 695
 03/23/2011 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 709
 03/28/2011 Senate—Received and Introduced—SJ 513
 03/29/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 522
 02/08/2012 Senate—Hearing: Thursday, February 09, 2012, 10:30 AM Room 152-S
 06/01/2012 Senate—Died in Senate Committee
- H 2387** Bill by Federal and State Affairs
Alcoholic beverages; amendments regarding retailer's licenses; fees, term and eligibility.
 03/11/2011 House—Introduced—HJ 460
 03/14/2011 House—Referred to Committee on Federal and State Affairs—HJ 462
 06/01/2012 House—Died in Committee

- H 2388** Bill by Appropriations
Authorizing the Kansas development finance authority to issue mortgage revenue bonds.
 03/11/2011 House—Introduced—HJ 460
 03/14/2011 House—Referred to Committee on Financial Institutions—HJ 462
 06/01/2012 House—Died in Committee
- H 2389** Bill by Federal and State Affairs
Child abuse investigations; procedures.
 03/14/2011 House—Introduced—HJ 462
 03/15/2011 House—Referred to Committee on Judiciary—HJ 503
 06/01/2012 House—Died in Committee
- H 2390** Bill by Appropriations
Senate Substitute for HB 2390 by committee on Utilities -- Amending the Kan-Ed act.
 03/14/2011 House—Introduced—HJ 477
 03/15/2011 House—Referred to Committee on Appropriations—HJ 503
 03/30/2011 House—Withdrawn from Committee on Appropriations; Referred to Committee on General Government Budget—HJ 831
 03/30/2011 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 833
 04/01/2011 House—Committee of the Whole - Be passed as amended—HJ 861
 04/01/2011 House—Emergency Final Action - Passed as amended; Yea: 69 Nay: 51—HJ 864
 04/27/2011 Senate—Received and Introduced—SJ 618
 04/28/2011 Senate—Referred to Committee on Utilities—SJ 630
 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Utilities—SJ 1707
 03/21/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1953
 03/21/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 1—SJ 1955
 03/27/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative McLeland, Representative C. Holmes and Representative Burroughs as conferees—HJ 2284
 03/28/2012 Senate—Motion to accede adopted; Senator Apple, Senator Petersen and Senator Kultala appointed as conferees—SJ 2089
 05/17/2012 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 3125
 05/19/2012 House—Conference Committee Report was adopted; Yea: 82 Nay: 28—HJ 2934
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Friday, 01 June 2012
- H 2391** Bill by Taxation
Marking certain anemometer towers used for wind energy testing.
 03/15/2011 House—Introduced—HJ 502

03/16/2011 House—Referred to Committee on Energy and Utilities—HJ 512
 06/01/2012 House—Died in Committee

- H 2393** Bill by Appropriations
State employees; abolishing longevity bonus.
 03/17/2011 House—Introduced—HJ 560
 03/18/2011 House—Referred to Committee on Appropriations—HJ 563
 03/28/2011 House—Committee Report recommending bill be passed as amended
 by Committee on Appropriations—HJ 779
 05/06/2011 House—Committee of the Whole - Motion to recommend favorably for
 passage failed Yea: 55 Nay: 60—HJ 1071
 01/26/2012 House—Stricken from the Calendar (House Rule 2307)
- H 2394** Bill by Appropriations
Courts; court of appeals.
 03/18/2011 House—Introduced—HJ 583
 03/21/2011 House—Referred to Committee on Judiciary—HJ 588
 06/01/2012 House—Died in Committee
- H 2395** Bill by Appropriations
**School districts; the expenditure of moneys in school district funds for general
 education purposes.**
 03/21/2011 House—Introduced—HJ 632
 03/22/2011 House—Referred to Committee on Appropriations—HJ 634
 06/01/2012 House—Died in Committee
- H 2396** Bill by Appropriations
**Senate Substitute for HB 2396 by Committee on Reapportionment -- State
 legislative redistricting; Senate and state board of education member
 districts.**
 03/22/2011 House—Introduced—HJ 634
 03/23/2011 House—Referred to Committee on Appropriations—HJ 673
 05/02/2011 House—Committee Report recommending bill be passed by Committee
 on Appropriations—HJ 943
 03/06/2012 House—Committee of the Whole - Be passed—HJ 1992
 03/07/2012 House—Final Action - Passed; Yea: 79 Nay: 42—HJ 1995
 03/07/2012 Senate—Received and Introduced—SJ 1633
 03/08/2012 Senate—Referred to Committee on Judiciary—SJ 1643
 05/09/2012 Senate—Withdrawn from Committee on Judiciary; Referred to
 Committee on Reapportionment—SJ 2630
 05/11/2012 Senate—Committee Report recommending substitute bill be passed by
 Committee on Reapportionment—SJ 2710
 06/01/2012 Senate—Died on Senate General Orders
- H 2397** Bill by Appropriations
Adequacy of state provision for finance of educational interests of the state.
 03/22/2011 House—Introduced—HJ 651

03/23/2011 House—Referred to Committee on Education Budget—HJ 673
 02/20/2012 House—Withdrawn from Committee on Education Budget; Referred to
 Committee on Appropriations—HJ 1884
 02/21/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Education Budget—HJ 1895
 02/29/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 159-S
 06/01/2012 House—Died in Committee

- H 2398** Bill by Appropriations
Amending the definition of feral swine and increasing the penalty for importing, transporting, possessing or releasing feral swine.
 03/28/2011 House—Introduced—HJ 726
 03/29/2011 House—Referred to Committee on Agriculture and Natural Resources
 Budget—HJ 782
 06/01/2012 House—Died in Committee
- H 2399** Bill by Appropriations
Relating to the amount of money the state public trust may pay for real property within the Treece community in Cherokee county.
 03/28/2011 House—Introduced—HJ 726
 03/29/2011 House—Referred to Committee on Federal and State Affairs—HJ 782
 06/01/2012 House—Died in Committee
- H 2400** Bill by Appropriations
School districts; amendment to definition of at-risk pupil.
 03/29/2011 House—Introduced—HJ 819
 03/30/2011 House—Referred to Committee on Appropriations—HJ 821
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 9:00 AM Room 346-S
 06/01/2012 House—Died in Committee
- H 2401** Bill by Taxation
Consensus revenue estimate to include full amount of nonrefundable income tax credits when earned.
 03/30/2011 House—Introduced—HJ 827
 03/31/2011 House—Referred to Committee on Taxation—HJ 835
 06/01/2012 House—Died in Committee
- H 2402** Bill by Appropriations
For fiscal years 2012, 2013, 2014 and 2015, five centers of excellence and three centers of innovation receive \$2,000,000 from the increase in the tax base from bioscience development and investment.
 03/30/2011 House—Introduced—HJ 827
 03/31/2011 House—Referred to Committee on Appropriations—HJ 835
 06/01/2012 House—Died in Committee
- H 2403** Bill by Taxation
Property tax exemption and classification for property used for bed and

breakfast home purposes.

03/30/2011 House—Introduced—HJ 832

03/31/2011 House—Referred to Committee on Taxation—HJ 835

01/18/2012 House—Hearing: Monday, January 23, 2012, 3:30 PM Room 783
Docking01/26/2012 House—Committee Report recommending bill be passed as amended
by Committee on Taxation—HJ 1726

06/01/2012 House—Died on Calendar

H 2404 Bill by Taxation**Elimination of property tax exemption for certain pipeline property.**

03/30/2011 House—Introduced—HJ 832

03/31/2011 House—Referred to Committee on Taxation—HJ 835

06/01/2012 House—Died in Committee

H 2405 Bill by Appropriations**Converting classified attorneys in KDHE and SRS into unclassified attorneys.**

03/31/2011 House—Introduced—HJ 843

04/01/2011 House—Referred to Committee on Social Services Budget—HJ 860

06/01/2012 House—Died in Committee

H 2406 Bill by Taxation**Prohibiting the injury, intimidation, interference or harassment of any member of the military or an immediate family member of such member of the military; civil cause of action.**

04/01/2011 House—Introduced—HJ 863

04/27/2011 House—Referred to Committee on Judiciary—HJ 882

01/19/2012 House—Hearing: Tuesday, January 24, 2012, 3:30 PM Room Room
346-S

06/01/2012 House—Died in Committee

H 2407 Bill by Taxation**Distribution of sales tax revenues; income tax rate.**

04/01/2011 House—Introduced—HJ 880

04/27/2011 House—Referred to Committee on Taxation—HJ 882

06/01/2012 House—Died in Committee

H 2408 Bill by Appropriations**Transferring the agrotourism program from the department of commerce to the department of agriculture.**

04/28/2011 House—Introduced—HJ 927

04/29/2011 House—Referred to Committee on Agriculture and Natural Resources
Budget—HJ 937

06/01/2012 House—Died in Committee

H 2409 Bill by Appropriations**Bonds relating to national bio and agro defense facility**

05/03/2011 House—Introduced—HJ 975
 05/04/2011 House—Referred to Committee on Appropriations—HJ 978
 06/01/2012 House—Died in Committee

- H 2410** Bill by Appropriations
Racing and Gaming Commission; meeting and compensation of members.
 05/03/2011 House—Introduced—HJ 975
 05/04/2011 House—Referred to Committee on Appropriations—HJ 978
 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room 346-S
 01/30/2012 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 1734
 03/02/2012 House—Withdrawn from Calendar, Rereferred to Committee on Appropriations—HJ 1981
 06/01/2012 House—Died in Committee

- H 2411** Bill by Taxation
Investment standards and divestment procedures for KPERS related to Iran.
 05/04/2011 House—Introduced—HJ 978
 05/05/2011 House—Referred to Committee on Pensions and Benefits—HJ 1023
 01/20/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee

- H 2412** Bill by Representative D. Gatewood
Cities; dissolution, certain cities.
 12/14/2011 House—Prefiled for Introduction on Tuesday, September 20, 2011
 01/09/2012 House—Introduced—HJ 1673
 01/09/2012 House—Referred to Committee on Local Government—HJ 1675
 01/12/2012 House—Hearing: Tuesday, January 17, 2012, 3:30 PM Room 144-S
 01/19/2012 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 1702
 01/25/2012 House—Committee of the Whole - Be passed as amended—HJ 1720
 01/26/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 1725
 01/26/2012 Senate—Received and Introduced—SJ 1390
 01/27/2012 Senate—Referred to Committee on Local Government—SJ 1395
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 159-S
 03/06/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1630
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1692
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

- H 2413** Bill by Legislative Post Audit Committee
Disclosure of tax information for defendants claiming indigency.
 12/14/2011 House—Prefiled for Introduction on Thursday, November 17, 2011
 01/09/2012 House—Introduced—HJ 1673

- 01/09/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1675
- 01/13/2012 House—Hearing: Wednesday, January 18, 2012, 1:30 PM Room 144-S
- 02/02/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1765
- 02/16/2012 House—Committee of the Whole - Be passed as amended—HJ 1859
- 02/17/2012 House—Final Action - Passed as amended; Yea: 114 Nay: 4—HJ 1865
- 02/20/2012 Senate—Received and Introduced—SJ 1540
- 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
- 02/22/2012 Senate—Hearing: Thursday, March 01, 2012, 9:30 AM Room 548-S
- 03/12/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1654
- 03/14/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1688
- 03/15/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1693
- 03/20/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2192
- 03/20/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 1837
- 05/14/2012 House—Concurred with amendments in conference; Yea: 116 Nay: 0—HJ 2750
- 05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012—HJ 3220
- 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2414 Bill by Legislative Post Audit Committee

Allowing legislative post audit to charge state agencies for their portion of the state wide financial audit.

- 12/14/2011 House—Prefiled for Introduction on Thursday, November 17, 2011
- 01/09/2012 House—Introduced—HJ 1673
- 01/09/2012 House—Referred to Committee on General Government Budget—HJ 1675
- 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 159-S
- 02/16/2012 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 1861
- 02/21/2012 House—Committee of the Whole - Be passed—HJ 1892
- 02/22/2012 House—Final Action - Passed; Yea: 102 Nay: 21—HJ 1907
- 02/22/2012 Senate—Received and Introduced—SJ 1570
- 02/23/2012 Senate—Referred to Committee on Ways and Means—SJ 1577
- 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 10:30 AM Room 548-S
- 03/13/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1662
- 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1800
- 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
- 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2415** Bill by Representative Sloan
Income taxation; relating to certain sales of land devoted to agricultural use.
 12/14/2011 House—Prefiled for Introduction on Thursday, November 17, 2011
 01/09/2012 House—Introduced—HJ 1673
 01/09/2012 House—Referred to Committee on Taxation—HJ 1675
 06/01/2012 House—Died in Committee
- H 2416** Bill by Joint Health Policy Oversight
Health care finance; updating references and corresponding changes due to transfer of powers and duties from the Kansas health policy authority and hospital provider assessment.
 12/14/2011 House—Prefiled for Introduction on Wednesday, November 30, 2011
 01/09/2012 House—Introduced—HJ 1673
 01/09/2012 House—Referred to Committee on Health and Human Services—HJ 1675
 02/08/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 784 Docking
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1861
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1892
 02/22/2012 House—Final Action - Passed; Yea: 120 Nay: 3—HJ 1907
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1577
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 1:30 PM Room 546-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1669
 03/19/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1802
 03/28/2012 House—Concurred with amendments; Yea: 122 Nay: 0—HJ 2296
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361
- H 2417** Bill by Representative Slattery
Renewal date for driver's license expiring on license holder's 21st birthday; restricted license reciprocity with other states and District of Columbia.
 12/22/2011 House—Prefiled for Introduction on Thursday, December 22, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Transportation—HJ 1675
 02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 783-DOB
 02/17/2012 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1872
 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1917
 02/23/2012 House—Final Action - Passed as amended; Yea: 117 Nay: 7—HJ 1927
 02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Transportation—SJ 1609
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 152-S
 03/09/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Transportation—SJ 1648
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Not passed; Yea: 11 Nay: 29—SJ
 1718

H 2418 Bill by Legislative Post Audit Committee
Veterans preference; notifying veterans not hired by standard or electronic mail.
 01/03/2012 House—Prefiled for Introduction on Wednesday, December 28, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Veterans, Military and Homeland
 Security—HJ 1675
 01/18/2012 House—Hearing: Thursday, January 26, 2012, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee

H 2419 Bill by Legislative Post Audit Committee
Determining defendant's indigency for purposes of appointing counsel.
 01/03/2012 House—Prefiled for Introduction on Wednesday, December 28, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1675
 01/11/2012 House—Hearing: Wednesday, January 18, 2012, 12:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2420 Bill by Representative Fawcett
Cities; bonded debt limits.
 01/04/2012 House—Prefiled for Introduction on Friday, December 30, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Local Government—HJ 1675
 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 3:30 PM Room 144-S
 02/01/2012 House—Committee Report recommending bill be passed by Committee
 on Local Government—HJ 1748
 02/08/2012 House—Committee of the Whole - Be passed—HJ 1801
 02/09/2012 House—Final Action - Passed; Yea: 98 Nay: 25—HJ 1808
 02/09/2012 Senate—Received and Introduced—SJ 1481
 02/10/2012 Senate—Referred to Committee on Local Government—SJ 1486
 02/15/2012 Senate—Hearing: Monday, February 20, 2012, 9:30 AM Room 159-S
 02/21/2012 Senate—Committee Report recommending bill be passed by Committee
 on Local Government—SJ 1566
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 36 Nay: 4—SJ 1693
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012
 —HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ
 2304

- H 2421** Bill by Representatives O'Brien, Goodman
Kansas firearms freedom act; violations, criminal penalty
 01/04/2012 House—Prefiled for Introduction on Friday, December 30, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1675
 02/01/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 1748
 06/01/2012 House—Died on Calendar
- H 2422** Bill by Representatives Goodman, O'Brien
**Personal and family protection act; licensure requirements for parole officers
 and state and federal corrections officers.**
 01/04/2012 House—Prefiled for Introduction on Friday, December 30, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1675
 02/03/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 1772
 03/07/2012 House—Committee of the Whole - Be passed as amended—HJ 1996
 03/08/2012 House—Final Action - Passed as amended; Yea: 120 Nay: 1—HJ 2005
 03/08/2012 Senate—Received and Introduced—SJ 1644
 03/09/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1648
 06/01/2012 Senate—Died in Senate Committee
- H 2423** Bill by Representative Goodman
Municipalities; political campaign yard signs regulation limited.
 01/04/2012 House—Prefiled for Introduction on Tuesday, January 03, 2012
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Elections—HJ 1675
 01/25/2012 House—Hearing: Monday, January 30, 2012, 9:45 AM Room 546-S
 06/01/2012 House—Died in Committee
- H 2424** Bill by Representative Mast
**Relating to HCBS providers; providers that develop plans of care cannot be
 providers on such plans of care.**
 01/04/2012 House—Prefiled for Introduction on Friday, December 30, 2011
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Aging and Long-term Care—HJ
 1675
 01/11/2012 House—Hearing: Thursday, January 19, 2012, 9:00 AM Room 144-S
 01/23/2012 House—Hearing: Thursday, January 26, 2012, 9:00 AM Room Room
 144-S
 01/26/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Aging and Long-term Care—HJ 1726
 02/01/2012 House—Committee of the Whole - Be passed as amended—HJ 1747
 02/02/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 1762
 02/02/2012 Senate—Received and Introduced—SJ 1428
 02/03/2012 Senate—Referred to Committee on Ways and Means—SJ 1440
 06/01/2012 Senate—Died in Senate Committee

- H 2425** Bill by Representatives Goodman, O'Brien
Campaign finance; local office contribution limit increased; schools; question submitted elections; ballot question explanations, municipalities.
 01/04/2012 House—Prefiled for Introduction on Tuesday, January 03, 2012—HJ 1674
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Elections—HJ 1675
 01/25/2012 House—Hearing: Monday, January 30, 2012, 9:45 AM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 1843
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1927
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Elections—HJ 1978
 03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 1997
 03/19/2012 House—Committee of the Whole - Be passed as amended—HJ 2179
 03/20/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 2186
 03/20/2012 Senate—Received and Introduced—SJ 1814
 03/21/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1945
 06/01/2012 Senate—Died in Senate Committee
- H 2426** Bill by Representative Fawcett
Utilities; relating to the renewable energy standards act.
 01/06/2012 House—Prefiled for Introduction on Friday, January 06, 2012—HJ 1674
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1675
 06/01/2012 House—Died in Committee
- H 2427** Bill by Representatives O'Brien, Goodman
Substitute HB 2427 by Committee on Corrections and Juvenile Justice -- Amending the open records act to exclude personal information concerning law enforcement officers.
 01/06/2012 House—Prefiled for Introduction on Tuesday, January 03, 2012—HJ 1674
 01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1675
 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 144-S
 02/17/2012 House—Hearing: Monday, February 20, 2012, 1:30 PM Room 144-S
 02/21/2012 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 1893
 02/23/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Substitute passed; Yea: 124 Nay: 0—HJ 1949
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 9:30 AM Room 548-S

- 03/13/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1659
- 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
- 03/15/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 1718
- 03/19/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2182
- 03/20/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 1837
- 05/14/2012 House—Concurred with amendments in conference; Yea: 111 Nay: 5—HJ 2751
- 05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012—HJ 3220
- 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2428** Bill by Legislative Educational Planning
Health care providers; including the university of Kansas medical center for purposes of peer review.
- 01/10/2012 House—Introduced—HJ 1677
- 01/11/2012 House—Referred to Committee on Health and Human Services—HJ 1680
- 01/18/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room 784 Docking
- 01/26/2012 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1726
- 01/31/2012 House—Committee of the Whole - Be passed—HJ 1739
- 02/01/2012 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 1746
- 02/01/2012 Senate—Received and Introduced—SJ 1404
- 02/02/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1427
- 02/03/2012 Senate—Hearing: Wednesday, February 08, 2012, 1:30 PM Room 546-S
- 02/08/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Public Health and Welfare—SJ 1468
- 02/16/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1530
- 02/24/2012 House—Enrolled and presented to Governor on Friday, February 24, 2012—HJ 1975
- 02/29/2012 House—Approved by Governor on Wednesday, 29 February 2012—HJ 1973

- H 2429** Bill by Legislative Educational Planning
Removal of expiration date for the state educational institution project delivery construction procurement act.
- 01/10/2012 House—Introduced—HJ 1677
- 01/11/2012 House—Referred to Committee on Education Budget—HJ 1680
- 01/18/2012 House—Hearing: Monday, January 23, 2012, 3:30 PM Room 159-S
- 02/10/2012 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 1819
- 02/21/2012 House—Committee of the Whole - Be passed—HJ 1895

02/22/2012 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 1908
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Ways and Means—SJ 1577
 02/23/2012 Senate—Hearing: Friday, March 02, 2012, 10:30 AM Room 548-S
 03/05/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1625
 03/15/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1690
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/30/2012 House—Approved by Governor on Friday, 30 March 2012—HJ 2330

H 2430 Bill by Legislative Educational Planning
Contingency reserve fund; extending the time period authorized for districts.
 01/10/2012 House—Introduced—HJ 1677
 01/11/2012 House—Referred to Committee on Education—HJ 1680
 01/13/2012 House—Hearing: Wednesday, January 18, 2012, 9:00 AM Room 784 Docking
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Education—HJ 1861
 02/22/2012 House—Committee of the Whole - Be passed—HJ 1919
 02/23/2012 House—Final Action - Passed; Yea: 123 Nay: 1—HJ 1928
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Education—SJ 1609
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 1:30 PM Room 152-S
 03/05/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1625
 03/20/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1811
 03/21/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1951
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Aurand, Representative Huebert and Representative Ward as conferees—HJ 2255
 03/27/2012 Senate—Motion to accede adopted; Senator Schodorf, Senator Vratil and Senator Hensley appointed as conferees—SJ 2082
 06/25/2012 House—Died in Conference

H 2431 Bill by Legislative Educational Planning
Substitute HB 2431 by Committee on Transportation -- Allowing royalty fees for distinctive license plates to be paid to the county treasurer.
 01/10/2012 House—Introduced—HJ 1677
 01/11/2012 House—Referred to Committee on Transportation—HJ 1680
 02/01/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 783-DSOB
 02/21/2012 House—Committee Report recommending substitute bill be passed by Committee on Transportation—HJ 1902
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1947
 03/02/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Transportation—HJ 1981
 03/09/2012 House—Committee Report recommending bill be passed as amended

by Committee on Transportation—HJ 2023
 03/14/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2084
 03/15/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 2090
 03/15/2012 Senate—Received and Introduced—SJ 1722
 03/16/2012 Senate—Referred to Committee on Transportation—SJ 1723
 06/01/2012 Senate—Died in Senate Committee

- H 2432** Bill by Representative Hoffman
Allowing royalty fees for distinctive license plates to be paid to the county treasurer.
 01/11/2012 House—Introduced—HJ 1679
 01/12/2012 House—Referred to Committee on Transportation—HJ 1687
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 783-DSOB
 02/15/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1853
 02/20/2012 House—Committee of the Whole - Be passed—HJ 1880
 02/21/2012 House—Final Action - Passed; Yea: 107 Nay: 16—HJ 1887
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Transportation—SJ 1569
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 152-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1670
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 5—SJ 1719
 03/20/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hayzlett, Representative Prescott and Representative Wetta as conferees—HJ 2192
 03/20/2012 Senate—Motion to accede adopted; Senator Umbarger, Senator Marshall and Senator Kultala appointed as conferees—SJ 1837
 03/29/2012 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 14—SJ 2110
 06/01/2012 House—Died in Conference

- H 2433** Bill by Taxation
Income tax credit for certain tuition and related expenses paid to an educational institution located in Kansas.
 01/11/2012 House—Introduced—HJ 1679
 01/12/2012 House—Referred to Committee on Taxation—HJ 1687
 02/01/2012 House—Hearing: Monday, February 06, 2012, 3:30 PM Room 783-DSOB
 06/01/2012 House—Died in Committee

- H 2434** Bill by Legislative Educational Planning
Supplemental appropriations for FY 2012 for the department of education.
 01/11/2012 House—Introduced—HJ 1679

01/12/2012 House—Referred to Committee on Appropriations—HJ 1687
 06/01/2012 House—Died in Committee

- H 2435** Bill by Legislative Educational Planning
Postsecondary institutions; career technical workforce grant; state university employees and contract negotiations; Kansas private and out-of-state postsecondary institutions and state board of regents fee authority.
- 01/11/2012 House—Introduced—HJ 1679
 01/12/2012 House—Referred to Committee on Education Budget—HJ 1687
 01/18/2012 House—Hearing: Monday, January 23, 2012, 3:30 PM Room 159-S
 02/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 1852
 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
 02/23/2012 House—Final Action - Passed as amended; Yea: 120 Nay: 4—HJ 1928
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Education—SJ 1609
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 152-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1665
 03/20/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1811
 03/21/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1951
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Gordon, Representative Aurand and Representative Winn as conferees—HJ 2277
 03/27/2012 Senate—Motion to accede adopted; Senator Schodorf, Senator Vratil and Senator Hensley appointed as conferees—SJ 2085
 05/18/2012 Senate—Conference Committee Report agree to disagree adopted; Senator Schodorf, Senator Vratil and Senator Hensley appointed as second conferees—SJ 3229
 05/19/2012 House—Conference Committee Report agree to disagree, not adopted—HJ 2931
 05/19/2012 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 0—SJ 3261
 05/20/2012 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 2946
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Thursday, 31 May 2012

- H 2436** Bill by Joint Energy and Environmental Policy
Concerning public utilities and issuance of a certificate of public convenience.
- 01/11/2012 House—Introduced—HJ 1679
 01/12/2012 House—Referred to Committee on Energy and Utilities—HJ 1687
 01/13/2012 House—Hearing: Thursday, January 19, 2012, 9:00 AM Room 785 Docking
 01/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Energy and Utilities—HJ 1706
 01/25/2012 House—Committee of the Whole - Be passed as amended—HJ 1720
 01/26/2012 House—Final Action - Passed as amended; Yea: 121 Nay: 1—HJ 1726
 01/26/2012 Senate—Received and Introduced—SJ 1390

01/27/2012 Senate—Referred to Committee on Utilities—SJ 1395
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 548-S
 06/01/2012 Senate—Died in Senate Committee

- H 2437** Bill by Elections
Relating to voting; proof of United States citizenship.
 01/12/2012 House—Introduced—HJ 1686
 01/13/2012 House—Referred to Committee on Elections—HJ 1689
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room 546-S
 02/01/2012 House—Hearing: Monday, February 06, 2012, 9:00 AM Room 546-S
 02/10/2012 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 1819
 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
 02/23/2012 House—Final Action - Passed as amended; Yea: 81 Nay: 43—HJ 1929
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1609
 03/08/2012 Senate—Hearing: Thursday, March 15, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Senate Committee

- H 2438** Bill by Elections
County Treasurers; starting date, term of office.
 01/12/2012 House—Introduced—HJ 1686
 01/13/2012 House—Referred to Committee on Elections—HJ 1689
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee

- H 2439** Bill by Representatives Goodman, Fawcett
School districts; counting of certain military pupils.
 01/12/2012 House—Introduced—HJ 1686
 01/13/2012 House—Referred to Committee on Education Budget—HJ 1689
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 159-S
 02/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 1852
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969

- H 2440** Bill by Corrections and Juvenile Justice
Creating the crime of failure to report the disappearance of a child.
 01/12/2012 House—Introduced—HJ 1686
 01/13/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1689
 06/01/2012 House—Died in Committee

- H 2441** Bill by Transportation
Floyd H. Robinson memorial highway.
 01/12/2012 House—Introduced—HJ 1686

01/13/2012 House—Referred to Committee on Transportation—HJ 1689
 01/19/2012 House—Hearing: Tuesday, January 24, 2012, 1:30 PM Room 783
 Docking
 02/01/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 1756
 02/09/2012 House—Committee of the Whole - Be passed—HJ 1810
 02/13/2012 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 1830
 02/13/2012 Senate—Received and Introduced—SJ 1491
 02/14/2012 Senate—Referred to Committee on Transportation—SJ 1497
 02/17/2012 Senate—Hearing: Tuesday, February 21, 2012, 8:30 AM Room 152-S
 02/21/2012 Senate—Committee Report recommending bill be passed by Committee
 on Transportation—SJ 1566
 02/22/2012 Senate—Committee of the Whole - Be passed—SJ 1572
 02/23/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1585
 03/02/2012 House—Enrolled and presented to Governor on Friday, March 02, 2012
 —HJ 1983
 03/09/2012 House—Approved by Governor on Friday, 09 March 2012

H 2442 Bill by Social Services Budget Committee
**Relating to employment of disabled individuals and competitive bids for state
 contracts.**

01/12/2012 House—Introduced—HJ 1686
 01/13/2012 House—Referred to Committee on Social Services Budget—HJ 1689
 01/18/2012 House—Withdrawn from Committee on Social Services Budget;
 Referred to Committee on Appropriations—HJ 1698
 01/25/2012 House—Hearing: Thursday, January 26, 2012, 9:00 AM Room 346-S
 02/14/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Appropriations—HJ 1841
 03/19/2012 House—Withdrawn from Calendar, Rereferred to Committee on
 Appropriations—HJ 2174
 03/19/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Appropriations—HJ 2179
 06/01/2012 House—Died on Calendar

H 2443 Bill by Joint Arts and Cultural Resources
Kansas income tax credit; film production.

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Taxation—HJ 1689
 06/01/2012 House—Died in Committee

H 2444 Bill by Children and Families
**Grades K-12; use of seclusion and restraint of students with disabilities;
 reporting thereof.**

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Children and Families—HJ 1689
 01/30/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room 142-S
 02/14/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Children and Families—HJ 1842

02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1895
 02/22/2012 House—Final Action - Passed as amended; Yea: 82 Nay: 41—HJ 1908
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Education—SJ 1577
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 1:30 PM Room 152-S
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 152-S
 06/01/2012 Senate—Died in Senate Committee

H 2445 Bill by Energy and Utilities

Cost recovery for energy storage devices.

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Energy and Utilities—HJ 1689
 01/18/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 785
 Docking
 01/26/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee

H 2446 Bill by Energy and Utilities

Renewable energy standards act and energy storage.

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Energy and Utilities—HJ 1689
 01/18/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 785
 Docking
 01/31/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Energy and Utilities—HJ 1740
 02/07/2012 House—Committee of the Whole - Referred to Committee on
 Appropriations—HJ 1793
 02/09/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Energy and Utilities—HJ 1815
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 9:00 AM Room 785
 Docking
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 9:00 AM Room 785
 Docking
 06/01/2012 House—Died in Committee

H 2447 Bill by Joint Energy and Environmental Policy

Concerning income tax credits and plugging of abandoned wells.

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Taxation—HJ 1689
 06/01/2012 House—Died in Committee

H 2448 Bill by Representative Ward

Firefighters health insurance.

01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Insurance—HJ 1689
 06/01/2012 House—Died in Committee

- H 2449** Bill by Appropriations
Establishing the Kansas equine education and promotion board.
 01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1689
 01/20/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room Docking 783
 06/01/2012 House—Died in Committee
- H 2450** Bill by Commerce and Economic Development
Enacting the Kansas small, minority and woman-owned business development act.
 01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1689
 02/15/2012 House—Hearing: Monday, February 20, 2012, 1:30 PM Room 785 Docking
 06/01/2012 House—Died in Committee
- H 2451** Bill by Agriculture and Natural Resources
Eliminating "use it or lose it" for groundwater rights in areas closed to new water right development.
 01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1689
 01/17/2012 House—Hearing: Thursday, January 19, 2012, 9:00 AM Room Docking 783
 01/26/2012 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 1726
 02/01/2012 House—Committee of the Whole - Be passed
 02/02/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1763
 02/02/2012 Senate—Received and Introduced—SJ 1428
 02/03/2012 Senate—Referred to Committee on Agriculture—SJ 1440
 02/03/2012 Senate—Hearing: Tuesday, February 07, 2012, 8:30 AM Room 159-S
 02/14/2012 Senate—Committee Report recommending bill be passed by Committee on Agriculture—SJ 1501
 02/15/2012 Senate—Committee of the Whole - Be passed—SJ 1521
 02/16/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1536
 02/24/2012 House—Enrolled and presented to Governor on Friday, February 24, 2012—HJ 1975
 03/05/2012 House—Approved by Governor on Monday, 05 March 2012—HJ 1985
- H 2452** Bill by Agriculture and Natural Resources
Granting the governor seven big game special hunting permits per year.
 01/12/2012 House—Introduced—HJ 1687
 01/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1689
 01/17/2012 House—Hearing: Thursday, January 19, 2012, 9:00 AM Room Docking 783

06/01/2012 House—Died in Committee

H 2453 Bill by Federal and State Affairs

Commission on disability concerns; changes.

01/12/2012 House—Introduced—HJ 1687

01/13/2012 House—Referred to Committee on Government Efficiency

01/20/2012 House—Hearing: Tuesday, January 24, 2012, 3:30 PM Room 546-S

01/25/2012 House—Committee Report recommending bill be passed as amended by Committee on Government Efficiency—HJ 1720

02/01/2012 House—Committee of the Whole - Be passed as amended—HJ 1747

02/02/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 1763

02/02/2012 Senate—Received and Introduced—SJ 1428

02/03/2012 Senate—Referred to Committee on Ways and Means—SJ 1440

02/17/2012 Senate—Hearing: Monday, February 20, 2012, 10:30 AM Room 548-S

02/20/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1544

02/22/2012 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1570

05/18/2012 Senate—Committee of the Whole - Be passed as amended—SJ 3143

05/18/2012 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 3229

05/18/2012 House—Concurred with amendments; Yea: 112 Nay: 0—HJ 2918

05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012

05/30/2012 House—Approved by Governor on Tuesday, 29 May 2012

H 2454 Bill by Representatives O'Neal, Arpke, Bruchman, Carlson, Cassidy, Crum, DeGraaf, Denning, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Grange, Gregory, Grosserode, Hedke, Hermanson, Hildabrand, Hill, Hoffman, Howell, Kelly, Kleeb, LeDoux, Mast, McLeland, Mesa, Osterman, Otto, Pottorff, Proehl, Rhoades, Ryckman, Seiwert, Spalding, Weber, K. Wolf, Worley

Senate Substitute for HB 2454 by Committee on Ways and Means -- Creating the creative arts industries commission; abolishing the arts commission and the film commission; creating the arts commission checkoff.

01/13/2012 House—Introduced—HJ 1689

01/17/2012 House—Referred to Committee on Taxation—HJ 1695

01/25/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room 783 Docking

02/01/2012 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 1756

02/22/2012 House—Committee of the Whole - Be passed—HJ 1919

02/23/2012 House—Final Action - Passed; Yea: 95 Nay: 29—HJ 1930

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Ways and Means—SJ 1609

03/14/2012 Senate—Hearing: Thursday, March 15, 2012, 10:30 AM Room 548-S

03/16/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1765

03/27/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 2078

- 03/27/2012 Senate—Emergency Final Action - Substitute passed; Yea: 38 Nay: 2—SJ 2080
- 03/28/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Gordon, Representative Kleeb and Representative Winn as conferees—HJ 2300
- 03/29/2012 Senate—Motion to accede adopted; Senator Huntington, Senator Schodorf and Senator Kelly appointed as conferees—SJ 2095
- 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ 2172
- 05/01/2012 House—Conference Committee Report was adopted; Yea: 101 Nay: 20—HJ 2385
- 05/04/2012 House—Enrolled and presented to Governor on Friday, May 04, 2012—HJ 2454
- 05/11/2012 House—Approved by Governor on Thursday, 10 May 2012—HJ 2566

- H 2455** Bill by Energy and Utilities
Substitute HB 2455 by Committee on Energy and Utilities -- Motor fuel tax; long-term feasibility study.
- 01/17/2012 House—Introduced—HJ 1694
- 01/18/2012 House—Referred to Committee on Energy and Utilities—HJ 1698
- 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room 785 Docking
- 02/07/2012 House—Committee Report recommending substitute bill be passed by Committee on Energy and Utilities—HJ 1793
- 02/17/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1869
- 02/20/2012 House—Final Action - Substitute passed as amended; Yea: 106 Nay: 15—HJ 1877
- 02/20/2012 Senate—Received and Introduced—SJ 1540
- 02/21/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1546
- 03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 10:30 AM Room 152-S
- 03/15/2012 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1702
- 03/20/2012 Senate—Committee of the Whole - Be passed—SJ 1811
- 03/21/2012 Senate—Final Action - Substitute passed; Yea: 34 Nay: 6—SJ 1951
- 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
- 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2456** Bill by Energy and Utilities
Prohibiting default proxy appointment to board.
- 01/17/2012 House—Introduced—HJ 1694
- 01/18/2012 House—Referred to Committee on Energy and Utilities—HJ 1698
- 01/18/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room 785 Docking
- 01/31/2012 House—Committee Report recommending bill be passed by Committee on Energy and Utilities—HJ 1740
- 02/02/2012 House—Committee of the Whole - Be passed—HJ 1764
- 02/03/2012 House—Final Action - Passed; Yea: 114 Nay: 0—HJ 1770

02/06/2012 Senate—Received and Introduced—SJ 1451
 02/07/2012 Senate—Referred to Committee on Utilities—SJ 1459
 06/01/2012 Senate—Died in Senate Committee

H 2457 Bill by Representative Ward
MR/DD waiver programs; exemption from the managed care system.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Health and Human Services—HJ 1698
 02/22/2012 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 1906
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 1:30 PM Room 784 Docking
 06/01/2012 House—Died in Committee

H 2458 Bill by Transportation
Providing an exception for certain vehicles from gross weight limitations.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Transportation—HJ 1698
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 783 Docking
 02/02/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1765
 02/08/2012 House—Committee of the Whole - Be passed—HJ 1801
 02/09/2012 House—Final Action - Passed; Yea: 122 Nay: 1—HJ 1808
 02/09/2012 Senate—Received and Introduced—SJ 1481
 02/10/2012 Senate—Referred to Committee on Transportation—SJ 1486
 02/10/2012 Senate—Hearing: Tuesday, February 14, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Senate Committee

H 2459 Bill by Representative Sloan
Motorcycle licensure reciprocity for persons with Department of Defense motorcycle training.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Transportation—HJ 1698
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 783 Docking
 02/02/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1765
 02/08/2012 House—Committee of the Whole - Be passed—HJ 1801
 02/09/2012 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 1809
 02/09/2012 Senate—Received and Introduced—SJ 1481
 02/10/2012 Senate—Referred to Committee on Transportation—SJ 1486
 02/10/2012 Senate—Hearing: Thursday, February 16, 2012, 8:30 AM Room 152-S
 02/16/2012 Senate—Committee Report recommending bill be passed as amended

by Committee on Transportation—SJ 1537
 02/22/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1575
 02/23/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1585
 03/14/2012 House—Concurred with amendments; Yea: 116 Nay: 0—HJ 2085
 03/19/2012 House—Enrolled and presented to Governor on Monday, March 19, 2012—HJ 2183
 03/21/2012 House—Approved by Governor on Tuesday, 20 March 2012—HJ 2219

H 2460 Bill by Joint Pensions, Investments, and Benefits
KPERS; removing first year contribution rate for affiliated employers; allowing affiliation for either prior and future service or future service only; applying certain Internal Revenue Code provisions to KPERS.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Pensions and Benefits—HJ 1698
 01/20/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 142-S
 02/01/2012 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 1748
 02/07/2012 House—Committee of the Whole - Be passed as amended—HJ 1792
 02/08/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 3—HJ 1800
 02/08/2012 Senate—Received and Introduced—SJ 1465
 02/09/2012 Senate—Referred to Committee on Ways and Means—SJ 1481
 02/16/2012 Senate—Hearing: Friday, February 17, 2012, 10:30 AM Room 548-S
 02/20/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1544
 02/23/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1579
 03/02/2012 House—Enrolled and presented to Governor on Friday, March 02, 2012—HJ 1983
 03/09/2012 House—Approved by Governor on Friday, 09 March 2012

H 2461 Bill by Joint Pensions, Investments, and Benefits
Raising the amount of annual alternative investments within the total amount of assets of the KPERS fund.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Pensions and Benefits—HJ 1698
 01/20/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 142-S
 02/01/2012 House—Committee Report recommending bill be passed as amended by Committee on Pensions and Benefits—HJ 1756
 02/07/2012 House—Committee of the Whole - Be passed as amended—HJ 1793
 02/08/2012 House—Final Action - Passed as amended; Yea: 118 Nay: 7—HJ 1801
 02/08/2012 Senate—Received and Introduced—SJ 1465
 02/09/2012 Senate—Referred to Committee on Ways and Means—SJ 1481
 02/22/2012 Senate—Hearing: Thursday, March 01, 2012, : Room 548-S
 02/22/2012 Senate—Hearing: Friday, March 02, 2012, 7:15 AM Room 144-S
 03/07/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1637
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 29 Nay: 11—SJ 1719
 03/28/2012 House—Concurred with amendments; Yea: 116 Nay: 6—HJ 2297

04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2462** Bill by Representative Goodman
Allowing vehicles to proceed through red lights under certain conditions.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Transportation—HJ 1698
 06/01/2012 House—Died in Committee
- H 2463** Bill by Commerce and Economic Development
Requiring employment of Kansas workers for certain state contracts and tax benefits.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1698
 06/01/2012 House—Died in Committee
- H 2464** Bill by Judiciary
Amending criminal discovery statute to prohibit release of child pornography evidence to the defense.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Judiciary—HJ 1698
 01/25/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room 346-S
 02/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1861
 02/20/2012 House—Committee of the Whole - Be passed as amended—HJ 1880
 02/21/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1888
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 9:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1705
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1803
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kinzer, Representative Patton and Representative Pauls as conferees—HJ 2253
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2082
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2136
 05/11/2012 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 2584
 05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—HJ 2918
 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2465** Bill by Judiciary
Authorizing sentencing court to order lifetime electronic monitoring for certain sex offenders.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1698
 02/01/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1842
 02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1899
 02/22/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1909
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Judiciary—SJ 1577
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 9:30 AM Room 548-S
 03/14/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1666
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1719
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277
- H 2466** Bill by Representative Grant
Providing state employees who retired on and after January 10, 2011 and before August 2, 2011 an election to either receive continued health insurance benefits or receive a one-time lump sum payment.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Appropriations—HJ 1698
 01/26/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room 346-S
 06/01/2012 House—Died in Committee
- H 2467** Bill by Corrections and Juvenile Justice
Creating the crimes of unlawful dissemination and possession of a depiction of a minor.
 01/17/2012 House—Introduced—HJ 1694
 01/18/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1698
 01/18/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2468** Bill by Corrections and Juvenile Justice
Requiring defense attorneys to produce reports and allow inspection prior to criminal trial.
 01/17/2012 House—Introduced—HJ 1695
 01/18/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1698
 01/19/2012 House—Hearing: Thursday, January 26, 2012, 1:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending bill be passed as amended

by Committee on Corrections and Juvenile Justice—HJ 1842
 02/20/2012 House—Committee of the Whole - Be passed as amended—HJ 1880
 02/21/2012 House—Final Action - Passed as amended; Yea: 121 Nay: 2—HJ 1888
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 28 Nay: 12—SJ 1693
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

H 2469 Bill by Corrections and Juvenile Justice

Requiring payment of BIDS fees for parole revocation proceedings.

01/17/2012 House—Introduced—HJ 1695
 01/18/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1698
 02/13/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1833
 02/16/2012 House—Committee of the Whole - Be passed as amended—HJ 1859
 02/17/2012 House—Final Action - Passed as amended; Yea: 105 Nay: 13—HJ 1865
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 02/22/2012 Senate—Hearing: Thursday, March 01, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1694
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277

H 2470 Bill by Corrections and Juvenile Justice

Substitute HB 2470 by Committee on Judiciary -- Relating to scrap metal dealers; unlawful acts; fees.

01/17/2012 House—Introduced—HJ 1695
 01/18/2012 House—Referred to Committee on Judiciary—HJ 1698
 01/25/2012 House—Hearing: Thursday, February 02, 2012, 3:30 PM Room 346-S
 02/09/2012 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 1814
 02/16/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1859
 02/17/2012 House—Final Action - Substitute passed; Yea: 118 Nay: 0—HJ 1866
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 548-S
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee

- on Judiciary—SJ 1659
- 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
- 03/15/2012 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—
SJ 1720
- 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012
—HJ 2279
- 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ
2304

H 2471

Bill by Aging and Long-term Care

Adult care homes; relating to licensure; administrators.

- 01/18/2012 House—Introduced—HJ 1697
- 01/19/2012 House—Referred to Committee on Aging and Long-term Care—HJ
1701
- 01/20/2012 House—Hearing: Tuesday, January 24, 2012, 9:00 AM Room 144-S
- 01/30/2012 House—Committee Report recommending bill be passed as amended
by Committee on Aging and Long-term Care—HJ 1734
- 02/02/2012 House—Committee of the Whole - Be passed as amended—HJ 1764
- 02/03/2012 House—Final Action - Passed as amended; Yea: 103 Nay: 11—HJ 1770
- 02/06/2012 Senate—Received and Introduced—SJ 1451
- 02/07/2012 Senate—Referred to Committee on Public Health and Welfare—SJ
1459
- 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 546-S
- 03/15/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Public Health and Welfare—SJ 1706
- 03/19/2012 Senate—Committee of the Whole - Be passed as further amended—SJ
1796
- 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1803
- 03/21/2012 House—Nonconcurrent with amendments; Conference Committee
requested; appointed Representative B. Bethell, Representative Worley and
Representative Flaharty as conferees—HJ 2255
- 03/27/2012 Senate—Motion to accede adopted; Senator V. Schmidt, Senator
Brungardt and Senator Kelly appointed as conferees—SJ 2082
- 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—
SJ 2178
- 05/03/2012 House—Conference Committee Report was adopted; Yea: 106 Nay: 15
—HJ 2416
- 05/08/2012 House—Enrolled and presented to Governor on Tuesday, May 08, 2012
—HJ 2491
- 05/14/2012 House—Approved by Governor on Monday, 14 May 2012—HJ 2796

H 2472

Bill by Energy and Utilities

Rural water districts; definitions.

- 01/18/2012 House—Introduced—HJ 1697
- 01/19/2012 House—Referred to Committee on Energy and Utilities—HJ 1701
- 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room 785
Docking
- 02/07/2012 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Energy and Utilities—HJ 1793

02/13/2012 House—Final Action - Passed; Yea: 120 Nay: 1—HJ 1831
 02/13/2012 Senate—Received and Introduced—SJ 1491
 02/14/2012 Senate—Referred to Committee on Natural Resources—SJ 1497
 02/22/2012 Senate—Hearing: Thursday, March 01, 2012, 8:30 AM Room 159-S
 03/01/2012 Senate—Committee Report recommending bill be passed by Committee on Natural Resources—SJ 1617
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1694
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277

H 2473 Bill by Judiciary**Civil procedure; pleadings and discovery.**

01/18/2012 House—Introduced—HJ 1697
 01/19/2012 House—Referred to Committee on Judiciary—HJ 1701
 01/25/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room 346-S
 02/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1794
 02/20/2012 House—Committee of the Whole - Be passed as amended—HJ 1880
 02/21/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1889
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569
 02/22/2012 Senate—Hearing: Friday, March 02, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1694
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277

H 2474 Bill by Appropriations**Alcoholic liquor; class A private clubs; veterans' organizations.**

01/18/2012 House—Introduced—HJ 1697
 01/19/2012 House—Referred to Committee on Federal and State Affairs—HJ 1701
 06/01/2012 House—Died in Committee

H 2475 Bill by Children and Families**Increasing funding for the home and community based services MR/DD waiver program.**

01/18/2012 House—Introduced—HJ 1697
 01/19/2012 House—Referred to Committee on Social Services Budget—HJ 1701
 06/01/2012 House—Died in Committee

H 2476 Bill by Education**Prohibiting the carrying of concealed handguns on school grounds.**

01/19/2012 House—Introduced—HJ 1701

01/20/2012 House—Referred to Committee on Federal and State Affairs—HJ 1706
 06/01/2012 House—Died in Committee

H 2477 Bill by Education

Substitute HB 2477 by Committee on Education - Compulsory school attendance law; defining educational alternatives.

01/19/2012 House—Introduced—HJ 1701
 01/20/2012 House—Referred to Committee on Education—HJ 1706
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room 784-D
 DSOB
 02/16/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Education—HJ 1861
 02/22/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1919
 02/23/2012 House—Final Action - Substitute passed; Yea: 83 Nay: 41—HJ 1930
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Education—SJ 1609
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 152-S
 03/14/2012 Senate—Committee Report recommending bill be passed by Committee
 on Education—SJ 1665
 03/20/2012 Senate—Committee of the Whole - Be passed—SJ 1811
 03/21/2012 Senate—Final Action - Substitute passed; Yea: 38 Nay: 2—SJ 1951
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012
 —HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ
 2361

H 2478 Bill by Representative Mah

City unilateral annexation; county approval.

01/19/2012 House—Introduced—HJ 1701
 01/20/2012 House—Referred to Committee on Local Government—HJ 1706
 06/01/2012 House—Died in Committee

H 2479 Bill by Taxation

Fire district tax levies.

01/19/2012 House—Introduced—HJ 1701
 01/20/2012 House—Referred to Committee on Taxation—HJ 1706
 06/01/2012 House—Died in Committee

H 2480 Bill by Taxation

Determination of Kansas adjusted gross income for income tax purposes related to thrift savings plan distributions and railroad retirement annuities.

01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Taxation—HJ 1706
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 783
 Docking
 02/14/2012 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Taxation—HJ 1844

02/15/2012 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 1848
 03/07/2012 House—Committee of the Whole - Rereferred to Committee on Taxation—HJ 1996
 06/01/2012 House—Died in Committee

H 2481 Bill by Taxation
Taxation of helium and other gases under mineral severance tax and prohibition of certain refunds related thereto.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Taxation—HJ 1706
 01/25/2012 House—Hearing: Thursday, February 02, 2012, 3:30 PM Room 783 Docking
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 1844
 03/07/2012 House—Committee of the Whole - Be passed as amended—HJ 1996
 03/08/2012 House—Final Action - Passed as amended; Yea: 117 Nay: 4—HJ 2006
 03/08/2012 Senate—Received and Introduced—SJ 1644
 03/09/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1648
 06/01/2012 Senate—Died in Senate Committee

H 2482 Bill by Judiciary
Relating to the Kansas adoption and relinquishment act; parental rights.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Judiciary—HJ 1706
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2483 Bill by Judiciary
Planning and zoning; appeals to district court; jurisdiction retained on remand.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Judiciary—HJ 1706
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2484 Bill by Judiciary
Certified shorthand reporters; deposition in Kansas.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Judiciary—HJ 1706
 02/01/2012 House—Hearing: Monday, February 06, 2012, 3:30 PM Room 346-S
 02/15/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 1852
 02/20/2012 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 1876
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 02/22/2012 Senate—Hearing: Wednesday, February 29, 2012, 9:30 AM Room 548-S

- 02/29/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1612
 03/07/2012 Senate—Committee of the Whole - Be passed—SJ 1638
 03/07/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1639
 03/13/2012 House—Enrolled and presented to Governor on Tuesday, March 13, 2012—HJ 2075
 03/15/2012 House—Approved by Governor on Wednesday, 14 March 2012—HJ 2101

H 2485 Bill by Insurance**Insurance ; anti-fraud plans; Insurance Commissioner access to expunged records; fingerprinting and criminal record checks for certain insurance agents and public adjusters.**

- 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Insurance—HJ 1706
 01/26/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room Room 152-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1843
 02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1892
 02/22/2012 House—Final Action - Passed as amended; Yea: 119 Nay: 4—HJ 1910
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1577
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 152-S
 03/16/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1745
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1803
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Shultz, Representative Hermanson and Representative Grant as conferees—HJ 2253
 03/27/2012 Senate—Motion to accede adopted; Senator Teichman, Senator Masterson and Senator A. Schmidt appointed as conferees—SJ 2082
 06/01/2012 House—Died in Conference

H 2486 Bill by Insurance**Changing the frequency of examinations for health maintenance organizations and medicare provider organizations.**

- 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Insurance—HJ 1706
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 3:30 PM Room 152-S
 02/07/2012 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 1793
 02/14/2012 House—Committee of the Whole - Be passed—HJ 1840
 02/15/2012 House—Final Action - Passed; Yea: 105 Nay: 19—HJ 1849
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1529

03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed by Committee
 on Financial Institutions and Insurance—SJ 1705
 03/19/2012 Senate—Committee of the Whole - Be passed—SJ 1793
 03/20/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1803
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012
 —HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ
 2361

- H 2487** Bill by Insurance
Uniform Insurance Agents Licensing Act; violations.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Insurance—HJ 1706
 01/31/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 152-S
 06/01/2012 House—Died in Committee
- H 2488** Bill by Corrections and Juvenile Justice
Allowing insurance premium increases as restitution to crime victims.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1706
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2489** Bill by Energy and Utilities
Deregulation of natural gas public utilities cooperatives.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Energy and Utilities—HJ 1706
 01/25/2012 House—Hearing: Friday, February 03, 2012, 9:00 AM Room 785
 Docking
 02/06/2012 House—Committee Report recommending bill be passed by Committee
 on Energy and Utilities—HJ 1786
 02/14/2012 House—Committee of the Whole - Be passed—HJ 1840
 02/15/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1849
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Utilities—SJ 1529
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed by Committee
 on Utilities—SJ 1707
 03/19/2012 Senate—Committee of the Whole - Be passed—SJ 1793
 03/20/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1804
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012
 —HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ
 2361

- H 2490** Bill by Health and Human Services
Doctor of nursing practice degrees at Washburn university.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Health and Human Services—HJ 1706
 01/20/2012 House—Hearing: Monday, January 23, 2012, 1:30 PM Room 784 Docking
 01/26/2012 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1726
 01/31/2012 House—Committee of the Whole - Be passed—HJ 1739
 02/01/2012 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 1746
 02/01/2012 Senate—Received and Introduced—SJ 1404
 02/02/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1427
 02/03/2012 Senate—Hearing: Tuesday, February 07, 2012, 1:30 AM Room 546-S
 02/07/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Public Health and Welfare—SJ 1460
 02/16/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1531
 02/24/2012 House—Enrolled and presented to Governor on Friday, February 24, 2012—HJ 1975
 02/29/2012 House—Approved by Governor on Wednesday, 29 February 2012—HJ 1973
- H 2491** Bill by Federal and State Affairs
Lawfully possessed handguns permitted while hunting, fishing and furharvesting.
 01/19/2012 House—Introduced—HJ 1702
 01/20/2012 House—Referred to Committee on Federal and State Affairs—HJ 1706
 01/25/2012 House—Hearing: Monday, January 30, 2012, 1:30 PM Room 346-S
 02/02/2012 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 1765
 02/09/2012 House—Committee of the Whole - Be passed as amended—HJ 1810
 02/13/2012 House—Final Action - Passed as amended; Yea: 113 Nay: 8—HJ 1831
 02/13/2012 Senate—Received and Introduced—SJ 1491
 02/14/2012 Senate—Referred to Committee on Natural Resources—SJ 1497
 03/01/2012 Senate—Hearing: Friday, March 09, 2012, 8:30 AM Room 159-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Natural Resources—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1694
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312
- H 2492** Bill by Federal and State Affairs
E-verify program; use of by business and governmental entities.
 01/19/2012 House—Introduced—HJ 1703
 01/20/2012 House—Referred to Committee on Federal and State Affairs—HJ 1706
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 346-S

02/08/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 346-S
 02/08/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2493 Bill by Appropriations
Supplemental appropriations for FY 2012 and FY 2013 for various state agencies.

01/20/2012 House—Introduced—HJ 1705
 01/23/2012 House—Referred to Committee on Appropriations—HJ 1711
 01/25/2012 House—Hearing: Monday, January 30, 2012, 9:00 AM Room 346-S
 06/01/2012 House—Died in Committee

H 2494 Bill by Corrections and Juvenile Justice
Amending provisions of the Kansas self-service storage act.

01/20/2012 House—Introduced—HJ 1706
 01/23/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1711
 02/01/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 1842
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1895
 02/22/2012 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 1910
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Judiciary—SJ 1577
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 9:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1705
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1804
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2253
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2082
 05/10/2012 House—Representative Shultz replaces Representative Colloton on the Conference Committee—HJ 2529
 05/10/2012 House—Representative Hermanson replaces Representative Kinzer on the Conference Committee—HJ 2529
 05/10/2012 House—Representative Grant replaces Representative McCray-Miller on the Conference Committee—HJ 2529
 05/18/2012 House—Representative Kinzer replaces Representative Shultz on the Conference Committee—HJ 2904
 05/18/2012 House—Representative Patton replaces Representative Hermanson on the Conference Committee—HJ 2904
 05/18/2012 House—Representative Pauls replaces Representative Grant on the Conference Committee—HJ 2904
 05/19/2012 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 0—SJ 3263
 05/20/2012 House—Conference Committee Report was adopted; Yea: 105 Nay: 11

—HJ 2948

05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012

06/01/2012 House—Approved by Governor on Thursday, 31 May 2012

- H 2495** Bill by Corrections and Juvenile Justice
Increasing the maximum allowable vessel registration fee charged by the department of wildlife, parks and tourism.
 01/20/2012 House—Introduced—HJ 1706
 01/23/2012 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 1711
 06/01/2012 House—Died in Committee
- H 2496** Bill by Corrections and Juvenile Justice
Applying the Kansas law enforcement training act to investigators of the juvenile justice authority and department of corrections.
 01/20/2012 House—Introduced—HJ 1706
 01/23/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1711
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 144-S
 02/10/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1818
 02/16/2012 House—Committee of the Whole - Be passed as amended—HJ 1859
 02/17/2012 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 1866
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 02/29/2012 Senate—Hearing: Thursday, March 01, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1695
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/30/2012 House—Approved by Governor on Friday, 30 March 2012—HJ 2330
- H 2497** Bill by Corrections and Juvenile Justice
Amending procedures concerning a defendant's competency to stand trial.
 01/20/2012 House—Introduced—HJ 1706
 01/23/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1711
 02/20/2012 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 1875
 02/29/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 144-S
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 1978
 06/01/2012 House—Died in Committee

- H 2498** Bill by Corrections and Juvenile Justice
Creating a mental health diversion option for county and district attorneys.
 01/20/2012 House—Introduced—HJ 1706
 01/23/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1711
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 1:30 PM Room 144-S
 02/20/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Corrections and Juvenile Justice—HJ 1881
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 1927
 02/29/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Corrections and Juvenile Justice—HJ 1972
 02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2499** Bill by Transportation
Providing for the masonic lodge license plate.
 01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Transportation—HJ 1714
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 1:30 PM Room 783
 Docking
 02/08/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 1802
 02/16/2012 House—Committee of the Whole - Be passed—HJ 1859
 02/17/2012 House—Final Action - Passed; Yea: 110 Nay: 8—HJ 1867
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Transportation—SJ 1546
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 152-S
 06/01/2012 Senate—Died in Senate Committee
- H 2500** Bill by Transportation
**Prohibiting school bus drivers from using hand-held wireless telephones while
 driving, except under certain circumstances.**
 01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Transportation—HJ 1714
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 1:30 PM Room 783
 Docking
 06/01/2012 House—Died in Committee
- H 2501** Bill by Taxation
Property taxation; defining real and personal property.
 01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Taxation—HJ 1714
 01/25/2012 House—Hearing: Wednesday, February 01, 2012, 3:30 PM Room 783
 Docking
 06/01/2012 House—Died in Committee

- H 2502** Bill by Agriculture and Natural Resources
Amending the procedure for a county to grant permission to establish swine production facilities.
- 01/23/2012 House—Introduced—HJ 1711
01/24/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1714
01/25/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 783 Docking
01/31/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1740
02/02/2012 House—Committee of the Whole - Be passed as amended—HJ 1764
02/03/2012 House—Final Action - Passed as amended; Yea: 106 Nay: 8—HJ 1771
02/06/2012 Senate—Received and Introduced—SJ 1451
02/07/2012 Senate—Referred to Committee on Agriculture—SJ 1459
02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 8:30 AM Room 159-S
02/08/2012 Senate—Hearing: Wednesday, February 15, 2012, 8:30 AM Room 159-S
03/06/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 1630
03/19/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1794
03/20/2012 Senate—Final Action - Passed as amended; Yea: 33 Nay: 7—SJ 1804
03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2253
03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2082
04/25/2012 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 4—SJ 2188
05/10/2012 House—Conference Committee Report was adopted; Yea: 98 Nay: 26—HJ 2550
05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—HJ 2918
05/25/2012 House—Approved by Governor on Friday, 25 May 2012
- H 2503** Bill by Agriculture and Natural Resources
Agricultural boards and advisory bodies, membership and responsibilities; update of references relating to ERO No. 40 and Department of Agriculture.
- 01/23/2012 House—Introduced—HJ 1711
01/24/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1714
01/25/2012 House—Hearing: Wednesday, January 25, 2012, 9:00 AM Room 783 Docking
01/25/2012 House—Hearing: Thursday, January 26, 2012, 9:00 AM Room 783 Docking
02/03/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1771

02/10/2012 House—Committee of the Whole - Be passed as amended—HJ 1818
 02/14/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1838
 02/14/2012 Senate—Received and Introduced—SJ 1498
 02/15/2012 Senate—Referred to Committee on Agriculture—SJ 1502
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 7:30 AM Room 159-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Agriculture—SJ 1701
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1805
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Powell, Representative Kerschen and
 Representative Williams as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator
 Teichman and Senator Francisco appointed as conferees—SJ 2082
 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—
 SJ 2261
 05/11/2012 House—Conference Committee Report was adopted; Yea: 118 Nay: 4—
 HJ 2656
 05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012
 —HJ 3220
 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2504 Bill by Representative Trimmer
**Immunity from civil liability for financial advisers who report suspected
 exploitation, fiduciary abuse or fraud involving their senior citizen
 clients.**

01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Judiciary—HJ 1714
 06/01/2012 House—Died in Committee

H 2505 Bill by Financial Institutions
Limitation on loans and borrowing; derivative transactions.

01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Financial Institutions—HJ 1714
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 152-S
 02/08/2012 House—Committee Report recommending bill be passed by Committee
 on Financial Institutions—HJ 1802
 02/14/2012 House—Committee of the Whole - Be passed—HJ 1840
 02/15/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1850
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 1529
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 152-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Financial Institutions and Insurance—SJ 1665
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1805
 03/27/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Knox, Representative Proehl and

Representative Grant as conferees—HJ 2284
 03/28/2012 Senate—Motion to accede adopted; Senator Teichman, Senator Masterson and Senator A. Schmidt appointed as conferees—SJ 2089
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2137
 03/30/2012 House—Conference Committee Report was adopted; Yea: 115 Nay: 1—HJ 2332
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/10/2012 House—Will become law without Governor's signature; delivered to Secretary of State unsigned on April 9, 2012.—HJ 2361

H 2506 Bill by Corrections and Juvenile Justice
Issuance of motorized bicycle licenses to habitual violators.

01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1714
 01/25/2012 House—Hearing: Thursday, February 02, 2012, 1:30 PM Room 144-S
 02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1882
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969

H 2507 Bill by Insurance
Repealing K.S.A. 40-3508; concerning reinsurance limits for mortgage guaranty insurance companies.

01/23/2012 House—Introduced—HJ 1711
 01/24/2012 House—Referred to Committee on Insurance—HJ 1714
 01/26/2012 House—Hearing: Monday, January 30, 2012, 3:30 PM Room Room 152-S
 02/02/2012 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 1765
 02/09/2012 House—Committee of the Whole - Be passed—HJ 1810
 02/13/2012 House—Final Action - Passed; Yea: 119 Nay: 2—HJ 1832
 02/13/2012 Senate—Received and Introduced—SJ 1491
 02/14/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1497
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 152-S
 03/08/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Financial Institutions and Insurance—SJ 1645
 03/15/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1690
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/30/2012 House—Approved by Governor on Friday, 30 March 2012—HJ 2330

H 2508 Bill by Insurance
Insurance Holding Company act.

01/23/2012 House—Introduced—HJ 1711

01/24/2012 House—Referred to Committee on Insurance—HJ 1714
 02/02/2012 House—Hearing: Monday, February 06, 2012, 3:30 PM Room 152-S
 02/08/2012 House—Hearing: Monday, February 13, 2012, 3:30 PM Room 152-S
 03/01/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room Room 152-S
 03/02/2012 House—Withdrawn from Committee on Insurance; Referred to Committee on Appropriations—HJ 1981
 03/07/2012 House—Withdrawn from Committee on Appropriations; Referred to Committee on Insurance—HJ 2000
 06/01/2012 House—Died in Committee

H 2509

Bill by Representative Garber

Designating a portion of K-9 as the David Mee memorial highway.

01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Transportation—HJ 1719
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 783-DSOB
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1872
 02/22/2012 House—Committee of the Whole - Be passed—HJ 1917
 02/23/2012 House—Final Action - Passed; Yea: 99 Nay: 25—HJ 1931
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Transportation—SJ 1609
 03/01/2012 Senate—Hearing: Wednesday, March 07, 2012, 8:30 AM Room 152-S
 03/07/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 1637
 03/15/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1691
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277

H 2510

Bill by Commerce and Economic Development

Prison-made goods act; prohibition against production of manufactured or modular homes.

01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1719
 01/27/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 785 Docking
 02/08/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1802
 02/14/2012 House—Committee of the Whole - Be passed as amended
 02/15/2012 House—Final Action - Passed as amended; Yea: 87 Nay: 37—HJ 1850
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Commerce—SJ 1529
 03/01/2012 Senate—Hearing: Wednesday, March 07, 2012, 8:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1653
 06/01/2012 Senate—Died on Senate General Orders

- H 2511** Bill by Representatives Goodman, O'Brien, Arpke, Boman, Brown, Collins, Donohoe, Fawcett, Garber, Gonzalez, Gregory, Grosserode, Hildabrand, LeDoux, Rubin
Sales tax exemption; over-the-counter drugs and food.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Taxation—HJ 1719
 06/01/2012 House—Died in Committee
- H 2512** Bill by Energy and Utilities
Natural gas public utilities and interim rates.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Energy and Utilities—HJ 1719
 01/25/2012 House—Hearing: Monday, January 30, 2012, 9:00 AM Room 785
 Docking
 06/01/2012 House—Died in Committee
- H 2513** Bill by Representative Trimmer
Cairn Terrier dog breed designated official state dog breed of the state of Kansas.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1719
 06/01/2012 House—Died in Committee
- H 2514** Bill by Taxation
Income tax credit for certain apprenticeships.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Taxation—HJ 1719
 06/01/2012 House—Died in Committee
- H 2515** Bill by Commerce and Economic Development
Appropriations for FY 2013, FY 2013, FY 2014, FY 2015 and FY 2016 for various state agencies; omnibus appropriation act and omnibus reconciliation spending limit bill; capital improvement projects; claims against the state.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1719
 01/25/2012 House—Hearing: Thursday, January 26, 2012, 1:30 PM Room 785
 Docking
 02/02/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1764
 02/10/2012 House—Committee of the Whole - Be passed as amended—HJ 1818
 02/14/2012 House—Final Action - Passed as amended; Yea: 90 Nay: 34—HJ 1838
 02/14/2012 Senate—Received and Introduced—SJ 1498
 02/15/2012 Senate—Referred to Committee on Ways and Means—SJ 1503
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 548-S
 05/16/2012 Senate—Committee Report recommending bill be passed as amended

- by Committee on Ways and Means—SJ 2868
 05/18/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 3143
 05/18/2012 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 6—SJ 3229
 05/19/2012 House—Ruled materially changed and referred to Committee on Appropriations—HJ 2921
 06/01/2012 House—Died in Committee

- H 2516** Bill by Agriculture and Natural Resources
Allowing a water bank charter to become permanent.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1719
 01/27/2012 House—Hearing: Tuesday, January 31, 2012, 9:00 AM Room Docking Room 783
 02/13/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1832
 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
 02/16/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1857
 02/16/2012 Senate—Received and Introduced—SJ 1530
 02/17/2012 Senate—Referred to Committee on Agriculture—SJ 1538
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 8:30 AM Room 159-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 1701
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1805
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2082
 03/30/2012 House—Concurred with amendments in conference; Yea: 123 Nay: 0—HJ 2327
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2517** Bill by Agriculture and Natural Resources
Making the water transition assistance program permanent.
 01/24/2012 House—Introduced—HJ 1713
 01/25/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1719
 01/27/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room Docking Room 783
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1840
 02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1892
 02/22/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1911

02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Agriculture—SJ 1577
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 8:30 AM Room 159-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Agriculture—SJ 1701
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1805
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Powell, Representative Kerschen and
 Representative Williams as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator
 Teichman and Senator Francisco appointed as conferees—SJ 2082
 03/30/2012 House—Concurred with amendments in conference; Yea: 123 Nay: 0—
 HJ 2327
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012
 —HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

H 2518 Bill by Representative Sloan
Limitations and transferability of angel investor income tax credits.
 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Taxation—HJ 1719
 06/01/2012 House—Died in Committee

H 2519 Bill by Insurance
**Applicants for insurance agent license. Insurance Department access to
 expunged records; determination of citizenship status.**
 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Insurance—HJ 1719
 02/02/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room Room
 152-S
 02/22/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Insurance—HJ 1922
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969

H 2520 Bill by Health and Human Services
Interstate health care compact.
 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Health and Human Services—HJ
 1719
 02/01/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room 784
 Docking
 02/16/2012 House—Committee Report recommending bill be passed by Committee
 on Health and Human Services—HJ 1861
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1892
 02/22/2012 House—Final Action - Passed; Yea: 86 Nay: 37—HJ 1911
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Financial Institutions and Insurance

—SJ 1577

- 03/13/2012 Senate—Hearing: Thursday, March 15, 2012, 9:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1705
 03/15/2012 Senate—Committee of the Whole - Referred to Committee on Federal and State Affairs—SJ 1722
 06/01/2012 Senate—Died in Senate Committee

H 2521 Bill by Federal and State Affairs

Imposition of civil penalties for alcohol and tobacco violations.

- 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Judiciary—HJ 1719
 02/01/2012 House—Hearing: Monday, February 06, 2012, 3:30 PM Room 346-S
 03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1998
 03/15/2012 House—Committee of the Whole - Be passed as amended—HJ 2094
 03/16/2012 House—Final Action - Passed as amended; Yea: 116 Nay: 8—HJ 2106
 03/19/2012 Senate—Received and Introduced—SJ 1767
 03/20/2012 Senate—Referred to Committee on Judiciary—SJ 1799
 06/01/2012 Senate—Died in Senate Committee

H 2522 Bill by Federal and State Affairs

Repeal of law which grants residency for tuition purposes for certain aliens not lawfully present in the United States.

- 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Federal and State Affairs—HJ 1719
 06/01/2012 House—Died in Committee

H 2523 Bill by Federal and State Affairs

Health care providers, facilities, persons; right to refuse to participate in abortion procedures; changes.

- 01/24/2012 House—Introduced—HJ 1714
 01/25/2012 House—Referred to Committee on Judiciary—HJ 1719
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 346-S
 03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1998
 06/01/2012 House—Died on Calendar

H 2524 Bill by Aging and Long-term Care

Continuing care contracts and providers.

- 01/25/2012 House—Introduced—HJ 1717
 01/26/2012 House—Referred to Committee on Aging and Long-term Care—HJ 1725
 06/01/2012 House—Died in Committee

H 2525 Bill by Health and Human Services

Amendments to the optometry law.

01/25/2012 House—Introduced—HJ 1717
 01/26/2012 House—Referred to Committee on Health and Human Services—HJ 1725
 01/30/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room 784 Docking
 02/06/2012 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1786
 02/10/2012 House—Committee of the Whole - Be passed as amended—HJ 1818
 02/14/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1839
 02/14/2012 Senate—Received and Introduced—SJ 1498
 02/15/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1503
 02/15/2012 Senate—Hearing: Monday, February 20, 2012, 1:30 PM Room 546-S
 02/20/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Public Health and Welfare—SJ 1543
 02/23/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1579
 03/02/2012 House—Enrolled and presented to Governor on Friday, March 02, 2012—HJ 1983
 03/06/2012 House—Approved by Governor on Monday, 05 March 2012—HJ 1990

H 2526 Bill by Energy and Utilities
Senate Substitute for HB 2526 by Committee on Utilities -- Utilities; relating to energy.

01/25/2012 House—Introduced—HJ 1717
 01/26/2012 House—Referred to Committee on Energy and Utilities—HJ 1725
 01/26/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room Docking 785
 02/06/2012 House—Committee Report recommending bill be passed by Committee on Energy and Utilities—HJ 1786
 02/14/2012 House—Committee of the Whole - Be passed—HJ 1840
 02/15/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1851
 02/15/2012 Senate—Received and Introduced—SJ 1503
 02/16/2012 Senate—Referred to Committee on Utilities—SJ 1529
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Utilities—SJ 1708
 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1793
 03/20/2012 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 1806
 03/28/2012 House—Concurred with amendments; Yea: 121 Nay: 2—HJ 2298
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

H 2527 Bill by Energy and Utilities
Kan-ed act; authorizing user fees.

01/25/2012 House—Introduced—HJ 1717
 01/26/2012 House—Referred to Committee on Appropriations—HJ 1725
 06/01/2012 House—Died in Committee

- H 2528** Bill by Energy and Utilities
Establishing grant programs for stream bank stabilization and multi-purpose small lakes.
 01/25/2012 House—Introduced—HJ 1718
 01/26/2012 House—Referred to Committee on Energy and Utilities—HJ 1725
 06/01/2012 House—Died in Committee
- H 2529** Bill by Judiciary
Court fees and costs in restitution judgments.
 01/25/2012 House—Introduced—HJ 1718
 01/26/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1725
 06/01/2012 House—Died in Committee
- H 2530** Bill by Representative M. Holmes
Relating to the commitment procedure of sexually violent predators.
 01/25/2012 House—Introduced—HJ 1718
 01/26/2012 House—Referred to Committee on Judiciary—HJ 1725
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 3:30 PM Room 346-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1843
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969
- H 2531** Bill by Commerce and Economic Development
Workers compensation and employment security boards nominating committee.
 01/25/2012 House—Introduced—HJ 1718
 01/26/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1725
 01/27/2012 House—Hearing: Thursday, February 02, 2012, 1:30 PM Room 785 Docking
 02/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1793
 02/17/2012 House—Committee of the Whole - Be passed as amended—HJ 1869
 02/20/2012 House—Final Action - Passed as amended; Yea: 85 Nay: 36—HJ 1877
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee
- H 2532** Bill by Federal and State Affairs
Creating classes of licenses to sell alcoholic beverages at retail; fees, term and eligibility.
 01/25/2012 House—Introduced—HJ 1718
 01/26/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1725
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 785-DSOB

02/01/2012 House—Hearing: Wednesday, February 08, 2012, 1:30 PM Room 785-DSOB

06/01/2012 House—Died in Committee

- H 2533** Bill by Representatives O'Neal, Rubin, Alford, Arpke, Billinger, Calloway, Cassidy, Collins, Crum, DeGraaf, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hedke, Hermanson, Hill, Hoffman, Howell, Huebert, Kelly, Kiegerl, Kleeb, LeDoux, Montgomery, Moxley, O'Hara, Patton, Peck, Pottorff, Ryckman, Scapa, Seiwert, Smith, Suellentrop, Trimmer, K. Wolf

Amending requirements and penalties for failure to report suspected child abuse.

01/25/2012 House—Introduced—HJ 1718

01/26/2012 House—Referred to Committee on Judiciary—HJ 1725

02/01/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 346-S

02/01/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 346-S

02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1882

02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919

02/23/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 1—HJ 1931

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609

02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 9:30 AM Room 548-S

06/01/2012 Senate—Died in Senate Committee

- H 2534** Bill by Representatives O'Neal, Alford, Arpke, Billinger, Calloway, Carlin, Cassidy, Collins, Crum, DeGraaf, Fawcett, Finney, Garber, Goico, Gonzalez, Goodman, Grange, Gregory, Hedke, Hermanson, Hill, Hoffman, Howell, Huebert, Kelly, Kerschen, Kiegerl, Kleeb, LeDoux, Montgomery, Mosier, Moxley, O'Hara, Otto, Patton, Peck, Rubin, Ryckman, Scapa, Seiwert, Smith, Suellentrop, Trimmer, K. Wolf

Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.

01/25/2012 House—Introduced—HJ 1718

01/26/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1725

02/01/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 144-S

02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1882

02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919

02/23/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1932

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609

02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 9:30 AM Room 548-S

03/12/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1654

03/14/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1688

03/15/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1695

03/20/2012 House—Nonconcurrent with amendments; Conference Committee

- requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2192
- 03/20/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 1837
- 05/08/2012 House—Concurred with amendments in conference; Yea: 121 Nay: 0—HJ 2470
- 05/11/2012 House—Enrolled and presented to Governor on Friday, May 11, 2012—HJ 2749
- 05/16/2012 House—Approved by Governor on Wednesday, 16 May 2012—HJ 2799

- H 2535** Bill by Corrections and Juvenile Justice
Amending statutes affected by 2011 ERO 34 transferring the Kansas parole board to the prisoner review board.
- 01/25/2012 House—Introduced—HJ 1718
- 01/26/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1725
- 01/27/2012 House—Hearing: Tuesday, January 31, 2012, 1:30 PM Room Room 144-S
- 02/08/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1802
- 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
- 02/16/2012 House—Final Action - Passed as amended; Yea: 96 Nay: 28—HJ 1857
- 02/16/2012 Senate—Received and Introduced—SJ 1530
- 02/17/2012 Senate—Referred to Committee on Judiciary—SJ 1538
- 02/22/2012 Senate—Hearing: Wednesday, February 29, 2012, 9:30 AM Room 548-S
- 02/29/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—SJ 1612
- 03/07/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1634
- 03/16/2012 House—Enrolled and presented to Governor on Friday, March 16, 2012—HJ 2147
- 03/21/2012 House—Approved by Governor on Tuesday, 20 March 2012—HJ 2219

- H 2536** Bill by Children and Families
Revised Kansas Code for care of children; grandparent's rights; legislative access.
- 01/25/2012 House—Introduced—HJ 1718
- 01/26/2012 House—Referred to Committee on Judiciary—HJ 1725
- 06/01/2012 House—Died in Committee

- H 2537** Bill by Children and Families
Children in need of care, access to records by house committee on children and families.
- 01/25/2012 House—Introduced—HJ 1720
- 01/26/2012 House—Referred to Committee on Children and Families—HJ 1725
- 01/30/2012 House—Hearing: Tuesday, January 31, 2012, 9:00 AM Room 142-S
- 01/31/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room Room

142-S

02/14/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Children and Families—HJ 1842
 02/15/2012 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 1848
 02/16/2012 House—Committee of the Whole - Be passed—HJ 1859
 02/17/2012 House—Final Action - Passed; Yea: 74 Nay: 44—HJ 1867
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1546
 06/01/2012 Senate—Died in Senate Committee

- H 2538** Bill by Children and Families
Children in need of care; reimbursement of cost of care for a child in a grandparent's custody.
 01/25/2012 House—Introduced—HJ 1720
 01/26/2012 House—Referred to Committee on Social Services Budget—HJ 1725
 06/01/2012 House—Died in Committee
- H 2539** Bill by Children and Families
Children and minors; relating to grandparent custody, visitation and residency.
 01/25/2012 House—Introduced—HJ 1720
 01/26/2012 House—Referred to Committee on Judiciary—HJ 1725
 06/01/2012 House—Died in Committee
- H 2540** Bill by Children and Families
Children in need of care; runaways.
 01/25/2012 House—Introduced—HJ 1720
 01/26/2012 House—Referred to Committee on Judiciary—HJ 1725
 06/01/2012 House—Died in Committee
- H 2541** Bill by Children and Families
Employee leave for the employee's child's school related educational activities.
 01/25/2012 House—Introduced—HJ 1720
 01/26/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1725
 06/01/2012 House—Died in Committee
- H 2542** Bill by Children and Families
Citizen review boards; powers and duties; appointment of members.
 01/25/2012 House—Introduced—HJ 1720
 01/26/2012 House—Referred to Committee on Children and Families—HJ 1725
 01/30/2012 House—Hearing: Tuesday, January 31, 2012, 9:00 AM Room 142-S
 01/31/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee

- H 2543** Bill by Children and Families
School districts; autism scholarships.
 01/25/2012 House—Introduced—HJ 1721
 01/26/2012 House—Referred to Committee on Education—HJ 1725
 06/01/2012 House—Died in Committee
- H 2544** Bill by Local Government
Cities; abandoned houses and qualifications thereof.
 01/25/2012 House—Introduced—HJ 1721
 01/26/2012 House—Referred to Committee on Local Government—HJ 1725
 02/08/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2545** Bill by Pensions and Benefits
Enacting the Kansas public employees retirement system act of 2014.
 01/25/2012 House—Introduced—HJ 1721
 01/26/2012 House—Referred to Committee on Pensions and Benefits—HJ 1725
 01/27/2012 House—Hearing: Wednesday, February 01, 2012, 9:00 AM Room 142-S
 02/01/2012 House—Hearing: Friday, February 03, 2012, 8:00 AM Room 142-S
 02/08/2012 House—Hearing: Monday, February 13, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee
- H 2546** Bill by Representative Garber
Horton armory; authorization to convey to city of Horton.
 01/26/2012 House—Introduced—HJ 1724
 01/27/2012 House—Referred to Committee on Local Government—HJ 1730
 02/01/2012 House—Hearing: Thursday, February 02, 2012, 3:30 PM Room 144-S
 02/09/2012 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 1814
 02/15/2012 House—Committee of the Whole - Be passed as amended—HJ 1851
 02/16/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1858
 02/16/2012 Senate—Received and Introduced—SJ 1530
 02/17/2012 Senate—Referred to Committee on Local Government—SJ 1538
 02/17/2012 Senate—Hearing: Tuesday, February 21, 2012, 9:30 AM Room 159-S
 02/22/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1572
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1695
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304
- H 2547** Bill by Taxation
Providing benefits to certain Kansas small businesses under the promoting employment across Kansas act.
 01/26/2012 House—Introduced—HJ 1724

01/27/2012 House—Referred to Committee on Taxation—HJ 1730
 06/01/2012 House—Died in Committee

- H 2548** Bill by Local Government
Property taxation; delinquent taxes; poverty affidavits, partial payment.
 01/26/2012 House—Introduced—HJ 1724
 01/27/2012 House—Referred to Committee on Local Government—HJ 1730
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 3:30 PM Room 144-S
 02/09/2012 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Local Government—HJ 1814
 02/13/2012 House—Withdrawn from Consent Calendar and placed on General
 Orders—HJ 1829
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1900
 02/22/2012 House—Final Action - Passed; Yea: 122 Nay: 1—HJ 1912
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Local Government—SJ 1577
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 9:30 AM Room 159-S
 06/01/2012 Senate—Died in Senate Committee

- H 2549** Bill by Judiciary
**Preservation of government records by public officials, including e-mail and
 texting.**
 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Judiciary—HJ 1730
 02/01/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

- H 2550** Bill by Federal and State Affairs
**Alcoholic beverages; prohibition against reduced price of drinks during certain
 times of day deleted.**
 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Federal and State Affairs—HJ 1730
 02/08/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 1802
 03/06/2012 House—Committee of the Whole - Be passed as amended—HJ 1992
 03/07/2012 House—Final Action - Passed as amended; Yea: 80 Nay: 41—HJ 1995
 03/07/2012 Senate—Received and Introduced—SJ 1633
 03/08/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1643
 06/01/2012 Senate—Died in Senate Committee

- H 2551** Bill by Agriculture and Natural Resources
**Increasing the maximum allowable vessel registration fee charged by the
 department of wildlife, parks and tourism.**
 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1730
 01/31/2012 House—Hearing: Thursday, February 02, 2012, 9:00 AM Room 783
 Docking

- 02/06/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room Docking Room 783
 02/07/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room Docking Room 783
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 1869
 02/21/2012 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 1892
 02/23/2012 House—Stricken from Calendar by Rule 1507—HJ 1969

H 2552 Bill by Representatives LeDoux, Boman, DeGraaf, Garber, Goodman, Gordon, Grange, Hayzlett, Hedke, Howell, McLeland, O'Hara, Peck, Powell, Seiwert, Vickrey

Superintendent qualifications.

- 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Education—HJ 1730
 06/01/2012 House—Died in Committee

H 2553 Bill by Appropriations
Tort claims act; attorney general representation; Nemaha-Brown watershed district.

- 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Judiciary—HJ 1730
 02/22/2012 House—Hearing: Wednesday, February 29, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2554 Bill by Insurance
Kansas Roofing Registration Act.

- 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1730
 02/01/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 785-DSOB
 06/01/2012 House—Died in Committee

H 2555 Bill by Representative O'Neal
Substitute HB 2555 by Committee on Local Government -- Recreation commissions; conversions of existing recreation systems.

- 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Local Government—HJ 1730
 02/01/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 144-S
 02/17/2012 House—Committee Report recommending substitute bill be passed by Committee on Local Government—HJ 1872
 02/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1900
 02/22/2012 House—Final Action - Substitute passed; Yea: 122 Nay: 1—HJ 1913
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Local Government—SJ 1577
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 159-S

06/01/2012 Senate—Died in Senate Committee

H 2556 Bill by Transportation

Establishing a safety corridor program.

01/26/2012 House—Introduced—HJ 1727

01/27/2012 House—Referred to Committee on Transportation—HJ 1730

02/08/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 783
Docking

06/01/2012 House—Died in Committee

H 2557 Bill by Transportation

Commercial vehicles' requiring annual registration in lieu of tax payment.

01/26/2012 House—Introduced—HJ 1727

01/27/2012 House—Referred to Committee on Transportation—HJ 1730

02/01/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 783-
DSOB

02/17/2012 House—Committee Report recommending bill be passed as amended
by Committee on Transportation—HJ 1872

02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919

02/23/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1933

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Transportation—SJ 1609

03/06/2012 Senate—Committee Report recommending bill be passed as amended
by Committee on Transportation—SJ 1630

03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714

03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 8
—SJ 1720

03/21/2012 House—Concurred with amendments; Yea: 122 Nay: 0—HJ 2253

03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012
—HJ 2358

04/06/2012 House—Approved by Governor on Friday, 06 April 2012—HJ 2361

H 2558 Bill by Commerce and Economic Development

**Workers compensation; State workers compensation self insurance fund, State
workplace health and safety program, time limitation on filing.**

01/26/2012 House—Introduced—HJ 1727

01/27/2012 House—Referred to Committee on Commerce and Economic
Development—HJ 1730

02/01/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 785-
DSOB

02/21/2012 House—Committee Report recommending bill be passed as amended
by Committee on Commerce and Economic Development—HJ 1892

02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1945

02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 90 Nay: 34
—HJ 1956

02/29/2012 Senate—Received and Introduced—SJ 1610

03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615

03/08/2012 Senate—Hearing: Thursday, March 15, 2012, 9:30 AM Room 548-S

06/01/2012 Senate—Died in Senate Committee

- H 2559** Bill by Representatives Smith, Cassidy, Meigs, Mesa, Montgomery, Rubin
Amendments to the Kansas school safety and security act.
 01/26/2012 House—Introduced—HJ 1727
 01/27/2012 House—Referred to Committee on Education—HJ 1730
 01/30/2012 House—Withdrawn from Committee on Education; Referred to
 Committee on Corrections and Juvenile Justice—HJ 1733
 02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2560** Bill by Taxation
**Reduction of income tax rates for individuals and determination of income,
 income tax credits, sales tax rate of 6.3%, severance tax exemptions,
 homestead property tax refunds and food sales tax refunds.**
 01/26/2012 House—Introduced—HJ 1728
 01/27/2012 House—Referred to Committee on Taxation—HJ 1730
 02/01/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room 346-S
 02/01/2012 House—Hearing: Wednesday, February 08, 2012, 3:30 PM Room 783-
 DSOB
 02/01/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 783-
 DSOB
 02/01/2012 House—Hearing: Friday, February 10, 2012, 3:30 PM Room 783-
 DSOB
 03/16/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Taxation—HJ 2145
 06/01/2012 House—Died on Calendar
- H 2561** Bill by Taxation
**Extension of the STAR bonds financing act sunset provision regarding STAR
 bond projects.**
 01/26/2012 House—Introduced—HJ 1728
 01/27/2012 House—Referred to Committee on Taxation—HJ 1730
 02/01/2012 House—Withdrawn from Committee on Taxation; Referred to
 Committee on Commerce and Economic Development—HJ 1745
 02/02/2012 House—Hearing: Friday, February 10, 2012, 1:30 PM Room Docking
 Room 785
 03/19/2012 House—Committee Report recommending bill be passed by Committee
 on Commerce and Economic Development—HJ 2162
 03/26/2012 House—Committee of the Whole - Be passed—HJ 2276
 03/27/2012 House—Final Action - Passed; Yea: 92 Nay: 31—HJ 2282
 03/27/2012 Senate—Received and Introduced—SJ 2084
 03/28/2012 Senate—Referred to Committee on Ways and Means—SJ 2087
 05/11/2012 Senate—Committee Report recommending bill be passed by Committee
 on Ways and Means—SJ 2763
 06/01/2012 Senate—Died on Senate General Orders

- H 2562** Bill by Judiciary
Relating to emergency care or assistance at the scene of an emergency or accident.
- 01/27/2012 House—Introduced—HJ 1730
01/30/2012 House—Referred to Committee on Judiciary—HJ 1733
02/01/2012 House—Hearing: Tuesday, February 07, 2012, 3:30 PM Room 346-S
02/01/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room 784-D SOB
02/17/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1871
02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
02/23/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 1933
02/23/2012 Senate—Received and Introduced—SJ 1577
02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609
03/07/2012 Senate—Hearing: Monday, March 12, 2012, 9:30 AM Room 548-S
03/20/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1811
03/21/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1945
03/28/2012 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 2090
03/29/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2112
03/29/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 2123
04/25/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kinzer, Representative Patton and Representative Pauls as conferees—HJ 2362
04/25/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2290
05/07/2012 House—Concurred with amendments in conference; Yea: 118 Nay: 2—HJ 2461
05/11/2012 House—Enrolled and presented to Governor on Friday, May 11, 2012—HJ 2749
05/16/2012 House—Approved by Governor on Wednesday, 16 May 2012—HJ 2799
- H 2563** Bill by Representative Wetta
Official Kansas wheat festival, Wellington; official Kansas watermelon festival, Clyde.
- 01/27/2012 House—Introduced—HJ 1730
01/30/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1733
02/08/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room 783 Docking
02/17/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1870
02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1895
02/22/2012 House—Final Action - Passed as amended; Yea: 110 Nay: 13—HJ 1913
02/22/2012 Senate—Received and Introduced—SJ 1570

02/23/2012 Senate—Referred to Committee on Agriculture—SJ 1577
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 7:30 AM Room 159-S
 03/13/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Agriculture—SJ 1658
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1806
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Powell, Representative Kerschen and
 Representative Wetta as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator
 Teichman and Senator Francisco appointed as conferees—SJ 2082
 03/30/2012 House—Concurred with amendments in conference; Yea: 108 Nay: 15
 —HJ 2328
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012
 —HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2564** Bill by Health and Human Services
Massage therapist licensure act.
 01/27/2012 House—Introduced—HJ 1730
 01/30/2012 House—Referred to Committee on Health and Human Services—HJ
 1733
 02/01/2012 House—Hearing: Wednesday, February 08, 2012, 1:30 PM Room 784
 Docking
 06/01/2012 House—Died in Committee
- H 2565** Bill by Health and Human Services
Health care predetermination price requests.
 01/27/2012 House—Introduced—HJ 1730
 01/30/2012 House—Referred to Committee on Insurance—HJ 1733
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 152-S
 06/01/2012 House—Died in Committee
- H 2566** Bill by Education
Capital improvements state aid; limitation on the calculation thereof.
 01/27/2012 House—Introduced—HJ 1730
 01/30/2012 House—Referred to Committee on Education Budget—HJ 1733
 02/15/2012 House—Hearing: Monday, February 20, 2012, 3:30 PM Room 159-S
 06/01/2012 House—Died in Committee
- H 2567** Bill by Corrections and Juvenile Justice
Expanding crime of aggravated endangering a child.
 01/27/2012 House—Introduced—HJ 1730
 01/30/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1733
 02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2568

Bill by Corrections and Juvenile Justice

Amendments to the Kansas offender registration act.

01/27/2012 House—Introduced—HJ 1730

01/30/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1733

02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 144-S

02/01/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 144-S

02/10/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 144-S

02/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1860

02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1900

02/22/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1914

02/22/2012 Senate—Received and Introduced—SJ 1570

02/23/2012 Senate—Referred to Committee on Judiciary—SJ 1577

03/05/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 548-S

03/19/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1797

03/21/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1952

03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1956

03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2277

03/28/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2089

04/25/2012 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 2—SJ 2262

05/14/2012 House—Conference Committee Report was adopted; Yea: 114 Nay: 2—HJ 2782

05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012—HJ 3220

05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2569

Bill by Judiciary

Legislative review of exceptions to disclosure of public records.

01/27/2012 House—Introduced—HJ 1730

01/30/2012 House—Referred to Committee on Judiciary—HJ 1733

02/01/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 346-S

02/16/2012 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1861

02/20/2012 House—Committee of the Whole - Be passed—HJ 1880

02/21/2012 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 1889

02/21/2012 Senate—Received and Introduced—SJ 1547

02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569

02/22/2012 Senate—Hearing: Wednesday, February 29, 2012, 9:30 AM Room 548-S

02/29/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1612

03/07/2012 Senate—Committee of the Whole - Be passed—SJ 1638

03/07/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1639
 03/13/2012 House—Enrolled and presented to Governor on Tuesday, March 13,
 2012—HJ 2075
 03/15/2012 House—Approved by Governor on Wednesday, 14 March 2012—HJ
 2101

- H 2570** Bill by Taxation
**Prohibiting certain confined persons from receiving food sales tax refunds and
 homestead property tax refunds.**
 01/27/2012 House—Introduced—HJ 1730
 01/30/2012 House—Referred to Committee on Taxation—HJ 1733
 02/29/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 783
 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee
 on Taxation—HJ 2023
 06/01/2012 House—Died on Calendar
- H 2571** Bill by Representatives Carlin, Mosier
Designating limestone as the official state rock.
 01/30/2012 House—Introduced—HJ 1733
 01/31/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1738
 06/01/2012 House—Died in Committee
- H 2572** Bill by Appropriations
**Adjutant general; funding for disasters; creating the disaster reimbursement
 fund and the Kansas emergency management and homeland security
 fund; insurance fees and premium taxes; KUSE.**
 01/30/2012 House—Introduced—HJ 1733
 01/31/2012 House—Referred to Committee on Appropriations—HJ 1738
 02/08/2012 House—Hearing: Monday, February 13, 2012, 9:00 AM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Appropriations—HJ 2116
 03/28/2012 House—Committee of the Whole - Be passed as amended—HJ 2302
 03/29/2012 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 2307
 03/30/2012 Senate—Received and Introduced—SJ 2159
 04/25/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 2163
 04/25/2012 Senate—Hearing: Thursday, April 26, 2012, 1:00 PM Room 144-S
 04/27/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—SJ 2302
 04/30/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2307
 04/30/2012 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0
 —SJ 2307
 05/02/2012 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Rhoades, Representative Kelley and
 Representative Feuerborn as conferees—HJ 2391
 05/02/2012 Senate—Motion to accede adopted; Senator Brungardt, Senator Reitz
 and Senator Faust-Goudeau appointed as conferees—SJ 2545

06/01/2012 House—Died in Conference

- H 2573** Bill by Representative Ward
Enacting the KanCare accountability act.
 01/30/2012 House—Introduced—HJ 1733
 01/31/2012 House—Referred to Committee on Health and Human Services—HJ 1738
 02/22/2012 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 1906
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 1:30 PM Room 784 Docking
 06/01/2012 House—Died in Committee
- H 2574** Bill by Appropriations
Highway patrol; charging certain fees.
 01/30/2012 House—Introduced—HJ 1734
 01/31/2012 House—Referred to Committee on Appropriations—HJ 1738
 02/03/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 142-S
 06/01/2012 House—Died in Committee
- H 2575** Bill by Federal and State Affairs
Kansas immigration accountability act; state agencies; state contractors.
 01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1745
 02/13/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 346-S
 02/13/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 346-S
 02/13/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 346-S
 03/30/2012 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2358
 06/01/2012 House—Died on Calendar
- H 2576** Bill by Federal and State Affairs
Immigration; unlawful concealing, harboring or shielding an alien; public benefits, proof of citizenship; failure to carry documentation, enforcement; vital records identity fraud; dealing in false identification documents; penalties; charged with a crime verification of citizenship.
 01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1745
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 346-S
 02/08/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 346-S
 02/08/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 346-S

06/01/2012 House—Died in Committee

- H 2577** Bill by Federal and State Affairs
Enrollment and participation in an e-verify program by business and governmental entities; penalties.
01/31/2012 House—Introduced—HJ 1737
02/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1745
02/08/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 346-S
02/08/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 346-S
02/08/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 346-S
06/01/2012 House—Died in Committee
- H 2578** Bill by Federal and State Affairs
Immigration; enforcement of federal immigration laws; determination of citizenship; notification; exchange of information; indemnification; implementation; cooperative agreements.
01/31/2012 House—Introduced—HJ 1737
02/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1745
02/08/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 346-S
02/08/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 346-S
02/08/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 346-S
06/01/2012 House—Died in Committee
- H 2579** Bill by Federal and State Affairs
Legislative declaration that life begins at conception.
01/31/2012 House—Introduced—HJ 1737
02/01/2012 House—Referred to Committee on Federal and State Affairs—HJ 1745
06/01/2012 House—Died in Committee
- H 2580** Bill by Representatives Garber, Goodman, Gregory, O'Brien, Otto
Creating the Kansas public charter schools act.
01/31/2012 House—Introduced—HJ 1737
02/01/2012 House—Referred to Committee on Education Budget—HJ 1745
02/15/2012 House—Hearing: Monday, February 20, 2012, 3:30 PM Room 159-S
06/01/2012 House—Died in Committee
- H 2581** Bill by Commerce and Economic Development
Wage deductions; prohibiting deductions for political contributions.
01/31/2012 House—Introduced—HJ 1737
02/01/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1745
06/01/2012 House—Died in Committee
- H 2582** Bill by Commerce and Economic Development
Securities commissioner; litigation and restitution funds created, appointment of professional staff.
01/31/2012 House—Introduced—HJ 1737

02/01/2012 House—Referred to Committee on Financial Institutions—HJ 1745
 02/03/2012 House—Withdrawn from Committee on Financial Institutions; Referred to Committee on General Government Budget—HJ 1770
 06/01/2012 House—Died in Committee

H 2583 Bill by Aging and Long-term Care
Relating to offender registrant admittance to or residence within an adult care home.

01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Aging and Long-term Care—HJ 1745
 02/01/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room 144-S
 02/06/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room 144-S
 06/01/2012 House—Died in Committee

H 2584 Bill by Federal and State Affairs
Knives; restriction on regulations; weapons crimes amended

01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1745
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2585 Bill by Taxation
Appraisal of property for taxation purposes; appeals; listing; changes; correction of clerical errors.

01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Taxation—HJ 1745
 06/01/2012 House—Died in Committee

H 2586 Bill by Representatives LeDoux, Brookens, Goodman, Grant, Gregory, Grosserode, Hedke, Mesa, O'Hara, Peck, Rubin, Smith, Williams
Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.

01/31/2012 House—Introduced—HJ 1737
 02/01/2012 House—Referred to Committee on Taxation—HJ 1745
 03/02/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 783-DOB
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 783 Docking
 06/01/2012 House—Died in Committee

H 2587 Bill by Agriculture and Natural Resources
Limiting the duration of conservation easements

01/31/2012 House—Introduced—HJ 1738
 02/01/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1745
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 9:00 AM Room 783-

DSOB

03/14/2012 House—Hearing: Thursday, March 15, 2012, 9:00 AM Room 783

Docking

06/01/2012 House—Died in Committee

- H 2588** Bill by Energy and Utilities
Water districts and the issuance of revenue bonds.
 01/31/2012 House—Introduced—HJ 1738
 02/01/2012 House—Referred to Committee on Energy and Utilities—HJ 1745
 02/02/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room Docking Room 785
 02/09/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Energy and Utilities—HJ 1810
 02/14/2012 House—Final Action - Passed; Yea: 123 Nay: 1—HJ 1837
 02/14/2012 Senate—Received and Introduced—SJ 1498
 02/15/2012 Senate—Referred to Committee on Agriculture—SJ 1502
 03/02/2012 Senate—Hearing: Tuesday, March 06, 2012, 8:30 AM Room 159-S
 03/06/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1630
 03/15/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1691
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277
- H 2589** Bill by Representative McCray-Miller
Colleges and universities; athletic scholarship disclosures required.
 01/31/2012 House—Introduced—HJ 1740
 02/01/2012 House—Referred to Committee on Education—HJ 1745
 06/01/2012 House—Died in Committee
- H 2590** Bill by Representative Garber
Reducing application fees for advertising signs along highways.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Transportation—HJ 1762
 06/01/2012 House—Died in Committee
- H 2591** Bill by Taxation
Allowing members of a unitary group to share certain income tax credits.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Taxation—HJ 1762
 02/02/2012 House—Hearing: Tuesday, February 07, 2012, 3:30 PM Room 783 Docking
 02/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 1852
 06/01/2012 House—Died on Calendar

- H 2592** Bill by Commerce and Economic Development
Public policy; certain city ordinances and county resolutions declared void.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Local Government—HJ 1762
 06/01/2012 House—Died in Committee
- H 2593** Bill by Financial Institutions
Interstate banking and commission approval.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Financial Institutions—HJ 1761
 02/02/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 152-S
 02/15/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Financial Institutions—HJ 1852
 02/17/2012 House—Committee of the Whole - Be passed as amended—HJ 1869
 02/20/2012 House—Final Action - Passed as amended; Yea: 120 Nay: 1—HJ 1878
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Financial Institutions and Insurance
 —SJ 1546
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 152-S
 03/13/2012 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Financial Institutions and Insurance—
 SJ 1659
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1800
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012
 —HJ 2358
 04/06/2012 House—Approved by Governor on Friday, 06 April 2012—HJ 2361
- H 2594** Bill by Vision 2020
Changes to the school finance formula.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Education—HJ 1761
 06/01/2012 House—Died in Committee
- H 2595** Bill by Local Government
Authorization required on expenditures from countywide retailers sales tax.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Taxation—HJ 1762
 06/01/2012 House—Died in Committee
- H 2596** Bill by Government Efficiency
**Senate Substitute for HB 2596 by Committee on Agriculture -- Amendments to
 animal health statutes.**
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Government Efficiency—HJ 1761
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee
 on Government Efficiency—HJ 1843
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938

02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1957
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 7:30 AM Room 159-S
 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Agriculture—SJ 1702
 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1789
 03/20/2012 Senate—Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 1806
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2082
 05/03/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2560
 05/09/2012 House—Conference Committee Report was adopted; Yea: 109 Nay: 15—HJ 2520
 05/14/2012 House—Enrolled and presented to Governor on Monday, May 14, 2012—HJ 2794
 05/18/2012 House—Approved by Governor on Thursday, 17 May 2012—HJ 2918

H 2597 Bill by Government Efficiency
Senate Substitute for HB 2597 by Committee on Natural Resources -- Solid waste permit exemption for land spreading waste generated by drilling oil and gas wells.
 02/01/2012 House—Introduced—HJ 1742
 02/02/2012 House—Referred to Committee on Government Efficiency—HJ 1761
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1843
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1957
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1665
 03/15/2012 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1690
 03/15/2012 Senate—Committee of the Whole - Referred to Committee on Natural Resources—SJ 1690
 03/20/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Natural Resources—SJ 1873
 03/21/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1954
 03/21/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 1—SJ 1956
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and

Representative Williams as conferees—HJ 2277

03/27/2012 Senate—Motion to accede adopted; Senator Ostmeyer, Senator McGinn and Senator Francisco appointed as conferees—SJ 2085

05/15/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 2861

05/20/2012 House—Conference Committee Report was adopted; Yea: 92 Nay: 14—HJ 3218

05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012

06/01/2012 House—Approved by Governor on Friday, 01 June 2012

H 2598 Bill by Federal and State Affairs

Creating the no taxpayer funding for abortion act; amending statutes concerning late-term abortion restrictions.

02/01/2012 House—Introduced—HJ 1742

02/02/2012 House—Referred to Committee on Federal and State Affairs—HJ 1761

02/02/2012 House—Hearing: Wednesday, February 08, 2012, 1:30 PM Room 346-S

02/02/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room 346-S

03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2129

06/01/2012 House—Died on Calendar

H 2599 Bill by Transportation

Providing registration decals for certain antique vehicles.

02/01/2012 House—Introduced—HJ 1756

02/02/2012 House—Referred to Committee on Transportation—HJ 1762

02/03/2012 House—Hearing: Tuesday, February 07, 2012, 1:30 PM Room 783
Docking

02/17/2012 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1872

02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1917

02/23/2012 House—Final Action - Passed as amended; Yea: 113 Nay: 11—HJ 1934

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Transportation—SJ 1609

02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 8:30 AM Room 152-S

03/07/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1637

03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714

03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1720

03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279

03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

H 2600 Bill by Corrections and Juvenile Justice

Amending the medical information confidentiality exception as pertaining to detention of a mental health patient.

02/02/2012 House—Introduced—HJ 1760

02/03/2012 House—Referred to Committee on Corrections and Juvenile Justice—

HJ 1769

- 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 144-S
 02/15/2012 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 1852
 02/20/2012 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 1876
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Judiciary—SJ 1546
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1695
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

H 2601 Bill by Corrections and Juvenile Justice
Criminalizing refusal to provide certain information to law enforcement upon demand.

- 02/02/2012 House—Introduced—HJ 1760
 02/03/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1769
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2602 Bill by Corrections and Juvenile Justice
Establishing the Kansas criminal alien rapid repatriation act.

- 02/02/2012 House—Introduced—HJ 1760
 02/03/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1769
 02/10/2012 House—Hearing: Wednesday, February 15, 2012, 1:30 PM Room 144-S
 02/20/2012 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 1875
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Corrections and Juvenile Justice—HJ 1978
 06/01/2012 House—Died in Committee

H 2603 Bill by Appropriations
Kansas business workers and community partnership act; undocumented aliens.

- 02/02/2012 House—Introduced—HJ 1760
 02/03/2012 House—Referred to Committee on Federal and State Affairs—HJ 1770
 06/01/2012 House—Died in Committee

- H 2604** Bill by Government Efficiency
Repealers; fertilizer compliance and administration fund; provisions related to sale and distribution of agricultural seeds.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Government Efficiency—HJ 1770
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1843
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1958
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1665
 03/15/2012 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1690
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1806
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Burgess, Representative DeGraaf and Representative Trimmer as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2083
 05/19/2012 House—Concurred with amendments in conference; Yea: 113 Nay: 0—HJ 2931
 05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012—HJ 3220
 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2605** Bill by Government Efficiency
Repeal of K.S.A. 2-2465 regarding the pest control operators fee fund.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Government Efficiency—HJ 1770
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1843
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1958
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1665
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1800
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2606** Bill by Redistricting
State legislative redistricting; House districts; House and Senate districts.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Redistricting—HJ 1770
 02/07/2012 House—Committee Report recommending bill be passed by Committee on Redistricting—HJ 1794
 02/08/2012 House—Committee of the Whole - Be passed—HJ 1801
 02/09/2012 House—Final Action - Passed; Yea: 109 Nay: 14—HJ 1809
 02/09/2012 Senate—Received and Introduced—SJ 1481
 02/10/2012 Senate—Referred to Committee on Reapportionment—SJ 1486
 03/20/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Reapportionment—SJ 1873
 03/21/2012 Senate—Committee of the Whole - Motion to refer to committee failed Committee on Ways and Means—SJ 2057
 03/21/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2057
 03/21/2012 Senate—Senator Vratil motioned to reconsider action recommending bill be passed as amended. Motion adopted.—SJ 2057
 03/21/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 2061
 06/01/2012 Senate—Died in Senate Committee
- H 2607** Bill by Taxation
Certain cash rebates on sales or leases of motor vehicles not subject to sales taxation.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Taxation—HJ 1770
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 783 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 2023
 06/01/2012 House—Died on Calendar
- H 2608** Bill by Taxation
Graduated increases in base state aid per pupil.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Education—HJ 1770
 06/01/2012 House—Died in Committee
- H 2609** Bill by Taxation
Ad valorem taxation; payment of taxes by certain individuals; transfers to the local ad valorem tax reduction fund; reductions in local taxes.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Taxation—HJ 1770
 02/29/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 783 Docking
 03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 1999
 03/09/2012 House—Committee of the Whole - Be passed as amended—HJ 2019

03/12/2012 House—Final Action - Passed as amended; Yea: 101 Nay: 23—HJ 2033
 03/12/2012 Senate—Received and Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1656
 06/01/2012 Senate—Died in Senate Committee

H 2610 Bill by Taxation
Sales taxation; presumptions relating to nexus.
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Taxation—HJ 1770
 03/02/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room 783-
 DOB
 03/09/2012 House—Committee Report recommending bill be passed by Committee
 on Taxation—HJ 2023
 06/01/2012 House—Died on Calendar

H 2611 Bill by Taxation
**Sales tax holiday which provides sales tax exemption for certain purchases of
 food and food ingredients.**
 02/02/2012 House—Introduced—HJ 1761
 02/03/2012 House—Referred to Committee on Taxation—HJ 1770
 06/01/2012 House—Died in Committee

H 2612 Bill by Representative LeDoux
Barnes brothers memorial highway.
 02/02/2012 House—Introduced—HJ 1765
 02/03/2012 House—Referred to Committee on Transportation—HJ 1770
 02/08/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 783
 Docking
 02/15/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 1853
 02/20/2012 House—Committee of the Whole - Be passed—HJ 1880
 02/21/2012 House—Final Action - Passed; Yea: 106 Nay: 17—HJ 1890
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Transportation—SJ 1569
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 8:30 AM Room 152-S
 03/07/2012 Senate—Committee Report recommending bill be passed by Committee
 on Transportation—SJ 1637
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1720
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012
 —HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277

H 2613 Bill by Corrections and Juvenile Justice
Allowing for extension of protective orders under certain circumstances.
 02/02/2012 House—Introduced—HJ 1765
 02/03/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1769

02/03/2012 House—Hearing: Monday, February 06, 2012, 1:30 PM Room 144-S
 02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1842
 02/20/2012 House—Committee of the Whole - Be passed as amended—HJ 1880
 02/21/2012 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 1890
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 9:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1705
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1807
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative McCray-Miller as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2083
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2140
 05/10/2012 House—Conference Committee Report was adopted; Yea: 124 Nay: 0—HJ 2554
 05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—HJ 2918
 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

H 2614 Bill by Representatives Phelps, Alford, Arpke, Ballard, B. Bethell, Billinger, Bollier, Bowers, Brookens, Brown, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Grange, Grant, Gregory, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kinzer, Kleeb, Kuether, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Mesa, Mosier, Moxley, O'Brien, O'Hara, Osterman, Otto, Peterson, Pottorff, Powell, Prescott, Proehl, Roth, Rubin, Ryckman, Scapa, Schroeder, Schwab, Seiwert, Shultz, Slattery, Spalding, Swanson, Tietze, Trimmer, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, B. Wolf, K. Wolf, Wolfe Moore, Worley

Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

02/02/2012 House—Introduced—HJ 1765
 02/03/2012 House—Referred to Committee on Transportation—HJ 1770
 02/08/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 783 Docking
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 1872
 02/22/2012 House—Committee of the Whole - Be passed—HJ 1917
 02/23/2012 House—Final Action - Passed; Yea: 121 Nay: 3—HJ 1934
 02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Transportation—SJ 1609
 02/29/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1707
 03/19/2012 Senate—Committee of the Whole - Be passed—SJ 1793
 03/20/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1807
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2615** Bill by Education
Kansas academy of mathematics and science program; expansion thereof.
 02/02/2012 House—Introduced—HJ 1765
 02/03/2012 House—Referred to Committee on Education—HJ 1770
 06/01/2012 House—Died in Committee
- H 2616** Bill by Local Government
Emergency conditions requiring reconstruction or repair of bridges.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Transportation—HJ 1770
 06/01/2012 House—Died in Committee
- H 2617** Bill by Vision 2020
Reporting sales and use tax requirements for retailers who do not collect and remit such taxes and distribution of certain sales and use tax collected.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Taxation—HJ 1770
 06/01/2012 House—Died in Committee
- H 2618** Bill by Insurance
Portable electronics insurance act.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Insurance—HJ 1770
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 152-S
 02/21/2012 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 1893
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1952
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1614
 03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 152-S
 03/08/2012 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1645
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1720
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012

—HJ 2279

03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

- H 2619** Bill by Aging and Long-term Care
Senate Substitute for HB 2619 by Committee on Ways and Means -- Joint committee on KanCare oversight.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Aging and Long-term Care—HJ 1769
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 9:00 AM Room 144-S
 02/21/2012 House—Committee Report recommending bill be passed by Committee on Aging and Long-term Care—HJ 1900
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1951
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
 05/18/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 3231
 05/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 3248
 05/19/2012 Senate—Emergency Final Action - Substitute passed; Yea: 36 Nay: 0—SJ 3249
 05/19/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative B. Bethell, Representative Worley and Representative Flaharty as conferees—HJ 2932
 06/01/2012 Senate—Died on Senate Calendar
- H 2620** Bill by Appropriations
Creating the excellence in career technical education act.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Education—HJ 1770
 02/03/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room 784 Docking
 06/01/2012 House—Died in Committee
- H 2621** Bill by Judiciary
Relating to secured transactions.
 02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Judiciary—HJ 1770
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 346-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1871
 02/22/2012 House—Committee of the Whole - Be passed—HJ 1917
 02/23/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1935
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609
 03/07/2012 Senate—Hearing: Thursday, March 15, 2012, 9:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed by Committee

on Judiciary—SJ 1705

03/19/2012 Senate—Committee of the Whole - Be passed—SJ 1793

03/20/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1807

03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358

04/06/2012 House—Approved by Governor on Friday, 06 April 2012—HJ 2361

H 2622 Bill by Local Government

Historic properties; projects within environs; city opt out of state historic preservation officer review.

02/02/2012 House—Introduced—HJ 1766

02/03/2012 House—Referred to Committee on Local Government—HJ 1770

06/01/2012 House—Died in Committee

H 2623 Bill by Federal and State Affairs

Kansas state high school activities association; board of directors; executive board.

02/02/2012 House—Introduced—HJ 1766

02/03/2012 House—Referred to Committee on Education—HJ 1770

06/01/2012 House—Died in Committee

H 2624 Bill by Energy and Utilities

Procedure for distribution of oil and gas valuation depletion trust fund moneys.

02/02/2012 House—Introduced—HJ 1766

02/03/2012 House—Referred to Committee on Energy and Utilities—HJ 1770

02/03/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room 785 Docking

02/09/2012 House—Committee Report recommending bill be passed by Committee on Energy and Utilities—HJ 1810

02/23/2012 House—Committee of the Whole - Be passed—HJ 1938

02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1950

02/29/2012 Senate—Received and Introduced—SJ 1610

03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615

03/01/2012 Senate—Hearing: Monday, March 05, 2012, 10:30 AM Room 548-S

03/06/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1630

03/07/2012 Senate—Committee of the Whole - Be passed—SJ 1638

03/07/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1640

03/13/2012 House—Enrolled and presented to Governor on Tuesday, March 13, 2012—HJ 2075

03/23/2012 House—Vetoed by Governor; Returned to House on Friday, March 23, 2012.—HJ 2268

03/30/2012 House—No motion to reconsider vetoed bill; Veto sustained—HJ 2315

H 2625 Bill by Federal and State Affairs

Farm winery licenses; delete requirement products be grown in Kansas; other changes.

02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Federal and State Affairs—HJ 1770
 06/01/2012 House—Died in Committee

H 2626 Bill by Government Efficiency
Repeal K.S.A. 83-139 and 83-140 concerning fraudulent practices selling grain, seed, hay or coal; relating to penalties civil liability and attorney fees.

02/02/2012 House—Introduced—HJ 1766
 02/03/2012 House—Referred to Committee on Government Efficiency—HJ 1770
 02/06/2012 House—Hearing: Thursday, February 09, 2012, 3:30 PM Room 546-S
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1843
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1959
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1665
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1801
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

H 2627 Bill by Commerce and Economic Development

Certain deductions from wages authorized.
 02/03/2012 House—Introduced—HJ 1769
 02/06/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1776
 02/08/2012 House—Hearing: Tuesday, February 14, 2012, 3:00 PM Room 785 Docking
 02/17/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1870
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1955
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 93 Nay: 31—HJ 1955
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Commerce—SJ 1614
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 8:30 AM Room 548-S
 03/13/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1659
 06/01/2012 House—Died on Senate General Orders

H 2628 Bill by Taxation

Reducing sales tax rate to 5.3% commencing July 1, 2012.
 02/03/2012 House—Introduced—HJ 1769
 02/06/2012 House—Referred to Committee on Taxation—HJ 1776

06/01/2012 House—Died in Committee

H 2629 Bill by Judiciary

Relating to a product liability claim arising from an alleged defect in a used product.

02/03/2012 House—Introduced—HJ 1769

02/06/2012 House—Referred to Committee on Judiciary—HJ 1776

02/08/2012 House—Hearing: Monday, February 13, 2012, 3:30 PM Room 346-S

02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1902

02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1941

02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 114 Nay: 10—HJ 1953

02/29/2012 Senate—Received and Introduced—SJ 1610

03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615

03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 9:30 AM Room 548-S

03/19/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1793

03/21/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1945

06/01/2012 Senate—Died in Senate Committee

H 2630 Bill by Pensions and Benefits

Federal nontaxable distributions from KPERS retirement benefits to provide retired public safety officers a source to pay for health insurance premiums.

02/03/2012 House—Introduced—HJ 1769

02/06/2012 House—Referred to Committee on Pensions and Benefits—HJ 1776

02/06/2012 House—Hearing: Wednesday, February 08, 2012, 9:00 AM Room 142-S

06/01/2012 House—Died in Committee

H 2631 Bill by Health and Human Services

Dental care availability and access.

02/03/2012 House—Introduced—HJ 1773

02/06/2012 House—Referred to Committee on Health and Human Services—HJ 1776

02/07/2012 House—Hearing: Thursday, February 09, 2012, 1:30 PM Room Docking Room 784

02/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 1843

02/21/2012 House—Committee of the Whole - Be passed as amended—HJ 1892

02/22/2012 House—Final Action - Passed as amended; Yea: 120 Nay: 3—HJ 1914

02/22/2012 Senate—Received and Introduced—SJ 1570

02/23/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1577

02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 546-S

03/15/2012 Senate—Committee Report recommending bill be passed as amended

by Committee on Public Health and Welfare—SJ 1706
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1807
 03/27/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Landwehr, Representative Donohoe and Representative Flaharty as conferees—HJ 2284
 03/28/2012 Senate—Motion to accede adopted; Senator V. Schmidt, Senator Brungardt and Senator Kelly appointed as conferees—SJ 2089
 03/29/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2110
 04/30/2012 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 2381
 05/04/2012 House—Enrolled and presented to Governor on Friday, May 04, 2012—HJ 2454
 05/09/2012 House—Approved by Governor on Tuesday, 08 May 2012—HJ 2493

H 2632 Bill by Corrections and Juvenile Justice
Relating to law enforcement reporting and investigation of missing person reports.
 02/03/2012 House—Introduced—HJ 1773
 02/06/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1776
 06/01/2012 House—Died in Committee

H 2633 Bill by Health and Human Services
Relating to eligibility requirements of applicants for and recipients of food stamp assistance.
 02/06/2012 House—Introduced—HJ 1775
 02/07/2012 House—Referred to Committee on Health and Human Services—HJ 1790
 02/22/2012 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 1906
 03/01/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 1978
 03/07/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 784 Docking
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 1:30 PM Room 784 Docking
 06/01/2012 House—Died in Committee

H 2634 Bill by Education
Substitute HB 2634 by Committee on Education -- School employee performance and evaluation; professional development.
 02/06/2012 House—Introduced—HJ 1775
 02/07/2012 House—Referred to Committee on Education—HJ 1790
 02/07/2012 House—Hearing: Thursday, February 09, 2012, 9:00 AM Room 784

Docking

- 02/22/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 1920
- 02/22/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1924
- 02/29/2012 House—Withdrawn from Committee on Appropriations; Referred to Committee on Education Budget—HJ 1972
- 03/01/2012 House—Withdrawn from Committee on Education Budget; Rereferred to Committee on Education—HJ 1978
- 03/12/2012 House—Committee Report recommending substitute bill be passed by Committee on Education—HJ 2034
- 03/15/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2094
- 03/16/2012 House—Final Action - Passed as amended; Yea: 94 Nay: 30—HJ 2107
- 03/19/2012 Senate—Received and Introduced—SJ 1767
- 03/20/2012 Senate—Referred to Committee on Education—SJ 1799
- 06/01/2012 Senate—Died in Senate Committee

H 2635 Bill by Vision 2020**Technical colleges and taxation of property.**

- 02/06/2012 House—Introduced—HJ 1775
- 02/07/2012 House—Referred to Committee on Taxation—HJ 1791
- 06/01/2012 House—Died in Committee

H 2636 Bill by Corrections and Juvenile Justice**Including sexual orientation and gender identity as factors concerning the denial of civil rights.**

- 02/06/2012 House—Introduced—HJ 1787
- 02/07/2012 House—Referred to Committee on Judiciary—HJ 1791
- 06/01/2012 House—Died in Committee

H 2637 Bill by Commerce and Economic Development**Workers in shared arrangements; professional employer organization registration act; multiple coordinate policies for workers compensation insurance.**

- 02/06/2012 House—Introduced—HJ 1787
- 02/07/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1790
- 02/08/2012 House—Hearing: Thursday, February 16, 2012, 3:00 PM Room 785 Docking
- 02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1881
- 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
- 02/23/2012 House—Final Action - Passed as amended; Yea: 121 Nay: 3—HJ 1935
- 02/23/2012 Senate—Received and Introduced—SJ 1577
- 02/29/2012 Senate—Referred to Committee on Commerce—SJ 1609
- 03/01/2012 Senate—Hearing: Thursday, March 08, 2012, 8:30 AM Room 548-S
- 03/19/2012 Senate—Committee Report recommending bill be passed as amended

by Committee on Commerce—SJ 1767
06/01/2012 Senate—Died on Senate General Orders

- H 2638** Bill by Commerce and Economic Development
Employment security law; eligibility for certain benefits, abolish Employment Security Advisory Council, notice requirements.
02/06/2012 House—Introduced—HJ 1787
02/07/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1790
02/08/2012 House—Hearing: Thursday, February 16, 2012, 3:00 PM Room 785 Docking
02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1881
02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1941
02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 85 Nay: 39—HJ 1952
02/29/2012 Senate—Received and Introduced—SJ 1610
03/01/2012 Senate—Referred to Committee on Commerce—SJ 1614
03/01/2012 Senate—Hearing: Tuesday, March 06, 2012, 8:30 AM Room 548-S
03/09/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1648
06/01/2012 Senate—Died on Senate General Orders
- H 2639** Bill by Local Government
Pertaining to commercial solid waste activity.
02/06/2012 House—Introduced—HJ 1787
02/07/2012 House—Referred to Committee on Local Government—HJ 1791
02/08/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room 144-S
06/01/2012 House—Died in Committee
- H 2640** Bill by Appropriations
Longevity bonus payments for state employees.
02/07/2012 House—Introduced—HJ 1789
02/08/2012 House—Referred to Committee on Appropriations—HJ 1798
06/01/2012 House—Died in Committee
- H 2641** Bill by Representative LeDoux
County appraisers, election.
02/07/2012 House—Introduced—HJ 1789
02/08/2012 House—Referred to Committee on Elections—HJ 1798
06/01/2012 House—Died in Committee
- H 2642** Bill by Energy and Utilities
Oil and gas; application of intent to drill.
02/07/2012 House—Introduced—HJ 1789
02/08/2012 House—Referred to Committee on Energy and Utilities—HJ 1798
02/08/2012 House—Hearing: Friday, February 10, 2012, 9:00 AM Room 785

Docking

06/01/2012 House—Died in Committee

- H 2643** Bill by Joint Energy and Environmental Policy
Allowing eligible water right holders to create reservoir improvement districts.
 02/07/2012 House—Introduced—HJ 1789
 02/08/2012 House—Referred to Committee on Energy and Utilities—HJ 1798
 06/01/2012 House—Died in Committee
- H 2644** Bill by Representatives Rhoades, Schroeder
Terminology change from mental retardation and similar terms to intellectual disability and similar terms.
 02/07/2012 House—Introduced—HJ 1789
 02/08/2012 House—Referred to Committee on Health and Human Services—HJ 1799
 03/06/2012 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 1992
 03/09/2012 House—Hearing: Tuesday, March 13, 2012, 9:00 AM Room 346-S
 03/13/2012 House—Hearing: Thursday, March 15, 2012, 9:00 AM Room 346-S
 06/01/2012 House—Died in Committee
- H 2645** Bill by Education
Personal financial literacy program as a requirement for high school graduation.
 02/07/2012 House—Introduced—HJ 1790
 02/08/2012 House—Referred to Committee on Education—HJ 1798
 02/10/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room 784-DOB
 02/22/2012 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 1906
 02/29/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 1972
 03/02/2012 House—Hearing: Wednesday, March 07, 2012, 3:30 PM Room 159-S
 06/01/2012 House—Died in Committee
- H 2646** Bill by Local Government
Cities; qualifications and rehabilitation of abandoned property.
 02/07/2012 House—Introduced—HJ 1790
 02/08/2012 House—Referred to Committee on Local Government—HJ 1799
 02/08/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room 144-S
 02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 1893
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1942
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 3—HJ 1955
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 03/08/2012 Senate—Hearing: Monday, March 12, 2012, 9:30 AM Room 159-S

03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1667

06/01/2012 Senate—Died on Senate General Orders

H 2647 Bill by Judiciary

Relating to the self-service storage act.

02/07/2012 House—Introduced—HJ 1790

02/08/2012 House—Referred to Committee on Judiciary—HJ 1799

02/08/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room 346-S

02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1883

02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919

02/23/2012 House—Final Action - Passed as amended; Yea: 106 Nay: 18—HJ 1936

02/23/2012 Senate—Received and Introduced—SJ 1577

02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609

03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 9:30 AM Room 548-S

03/20/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1811

03/21/2012 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1945

03/28/2012 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 2090

06/01/2012 Senate—Died on Senate General Orders

H 2648 Bill by Judiciary

Authorizing expungement of child abuse convictions or adjudications.

02/07/2012 House—Introduced—HJ 1790

02/08/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1798

06/01/2012 House—Died in Committee

H 2649 Bill by Government Efficiency

Repeal of certain water statutes.

02/07/2012 House—Introduced—HJ 1790

02/08/2012 House—Referred to Committee on Government Efficiency—HJ 1799

02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 546-S

02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871

02/23/2012 House—Committee of the Whole - Be passed

02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1959

02/29/2012 Senate—Received and Introduced—SJ 1610

03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614

03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S

03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture—SJ 1665

03/19/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1796

03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1808

03/29/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2312
 03/30/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2160
 06/01/2012 House—Died in Conference

H 2650 Bill by Government Efficiency
Senate Substitute for HB 2650 by Committee on Ways and Means - Kansas one map act; geographic information systems and services, policy board and officer.

02/07/2012 House—Introduced—HJ 1790
 02/08/2012 House—Referred to Committee on Government Efficiency—HJ 1799
 02/08/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 546-S
 02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Government Efficiency—HJ 1900
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1945
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 112 Nay: 12—HJ 1960
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
 04/25/2012 Senate—Hearing: Thursday, April 26, 2012, 9:15 AM Room 548-S
 05/03/2012 Senate—Hearing: Monday, May 07, 2012, First Senate Recess: Room 548-S
 05/09/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 2630
 06/01/2012 Senate—Died on Senate General Orders

H 2651 Bill by Federal and State Affairs
Liquor licenses; railway cars.

02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Federal and State Affairs—HJ 1798
 06/01/2012 House—Died in Committee

H 2652 Bill by Veterans, Military and Homeland Security
Qualifications for resident tuition for military personnel and veterans.

02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Education Budget—HJ 1798
 02/16/2012 House—Hearing: Monday, February 20, 2012, 3:30 PM Room 159-S
 02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 1900
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1947
 03/05/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education Budget—HJ 1985
 06/01/2012 House—Died in Committee

- H 2653** Bill by Corrections and Juvenile Justice
Requiring the compilation of law enforcement statistics for the purpose of identifying and eliminating racial profiling.
 02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Judiciary—HJ 1799
 06/01/2012 House—Died in Committee
- H 2654** Bill by Agriculture and Natural Resources
Amending the withdrawal procedure for counties as members of extension districts.
 02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1798
 06/01/2012 House—Died in Committee
- H 2655** Bill by Judiciary
Relating to noncharitable irrevocable trusts; certification of trusts.
 02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Judiciary—HJ 1799
 02/08/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room 346-S
 02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 1902
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1941
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 1953
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/07/2012 Senate—Hearing: Thursday, March 15, 2012, 9:30 AM Room 548-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1705
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1808
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kinzer, Representative Patton and Representative Pauls as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2083
 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 2264
 05/01/2012 House—Conference Committee Report was adopted; Yea: 117 Nay: 3—HJ 2388
 05/04/2012 House—Enrolled and presented to Governor on Friday, May 04, 2012—HJ 2454
 05/11/2012 House—Approved by Governor on Thursday, 10 May 2012—HJ 2566

- H 2656** Bill by Aging and Long-term Care
Relating to the transfer of adult protective services from the department of social and rehabilitative services to the office of attorney general.
 02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Aging and Long-term Care—HJ 1798
 02/08/2012 House—Hearing: Tuesday, February 14, 2012, 9:00 AM Room 144-S
 06/01/2012 House—Died in Committee
- H 2657** Bill by Representative Otto
Joint committee on the oversight of the state fire marshal's office created.
 02/07/2012 House—Introduced—HJ 1794
 02/08/2012 House—Referred to Committee on Transportation and Public Safety Budget—HJ 1799
 06/01/2012 House—Died in Committee
- H 2658** Bill by Children and Families
Children in need of care; placement in a secure facility; segregation from general population.
 02/07/2012 House—Introduced—HJ 1795
 02/08/2012 House—Referred to Committee on Judiciary—HJ 1799
 06/01/2012 House—Died in Committee
- H 2659** Bill by Health and Human Services
Substitute HB 2659 by Committee on Health and Human Services -- Transfer of licensing of speech - language pathologists and audiologists to secretary of aging.
 02/07/2012 House—Introduced—HJ 1795
 02/08/2012 House—Referred to Committee on Health and Human Services—HJ 1799
 02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 784-DOB
 02/17/2012 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 1871
 02/21/2012 House—Committee of the Whole - Substitute bill be passed—HJ 1900
 02/22/2012 House—Final Action - Substitute passed; Yea: 120 Nay: 3—HJ 1915
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1577
 02/29/2012 Senate—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 546-S
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 1:30 PM Room 546-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1707
 03/19/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 1789
 03/20/2012 Senate—Final Action - Substitute passed as amended; Yea: 40 Nay: 0—SJ 1808
 03/28/2012 House—Concurred with amendments; Yea: 122 Nay: 1—HJ 2298

04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2660** Bill by Health and Human Services
Relating to the licensure of maternity centers and child care facilities.
 02/07/2012 House—Introduced—HJ 1795
 02/08/2012 House—Referred to Committee on Health and Human Services—HJ 1799
 02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 784—DOB
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1861
 02/21/2012 House—Committee of the Whole - Be passed—HJ 1900
 02/22/2012 House—Final Action - Passed; Yea: 118 Nay: 5—HJ 1915
 02/22/2012 Senate—Received and Introduced—SJ 1570
 02/23/2012 Senate—Referred to Committee on Public Health and Welfare—SJ 1577
 02/29/2012 Senate—Hearing: Monday, March 05, 2012, 1:30 PM Room 546-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1670
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1789
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1809
 03/28/2012 House—Concurred with amendments; Yea: 123 Nay: 0—HJ 2298
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2661** Bill by Energy and Utilities
Municipally-owned utilities and rates.
 02/07/2012 House—Introduced—HJ 1795
 02/08/2012 House—Referred to Committee on Energy and Utilities—HJ 1798
 02/08/2012 House—Hearing: Monday, February 13, 2012, 9:00 AM Room 785 Docking
 06/01/2012 House—Died in Committee

- H 2662** Bill by Local Government
Limiting authority of counties to restrict certain waste material from privately owned landfills.
 02/08/2012 House—Introduced—HJ 1797
 02/09/2012 House—Referred to Committee on Local Government—HJ 1807
 02/14/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room 144-S
 02/20/2012 House—Withdrawn from Committee on Local Government; Referred to Committee on Appropriations—HJ 1875
 03/05/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Local Government—HJ 1985
 06/01/2012 House—Died in Committee

- H 2663** Bill by Energy and Utilities
Creating the efficiency Kansas loan program.
 02/08/2012 House—Introduced—HJ 1797
 02/09/2012 House—Referred to Committee on Energy and Utilities—HJ 1807
 02/09/2012 House—Hearing: Tuesday, February 14, 2012, 9:00 AM Room 785-DSOB
 06/01/2012 House—Died in Committee
- H 2664** Bill by Representative Kiegerl
Enacting the Kansas empowerment scholarship act.
 02/08/2012 House—Introduced—HJ 1797
 02/09/2012 House—Referred to Committee on Education—HJ 1807
 06/01/2012 House—Died in Committee
- H 2665** Bill by Representative Brown
Paint waste disposal.
 02/08/2012 House—Introduced—HJ 1797
 02/09/2012 House—Referred to Committee on Health and Human Services—HJ 1807
 06/01/2012 House—Died in Committee
- H 2666** Bill by Commerce and Economic Development
Cities; experience requirements for plumbers, electricians and certain mechanical contractors.
 02/08/2012 House—Introduced—HJ 1797
 02/09/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1807
 02/09/2012 House—Hearing: Tuesday, February 14, 2012, 3:00 PM Room 785 Docking
 02/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Commerce and Economic Development—HJ 1859
 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
 02/23/2012 House—Final Action - Passed as amended; Yea: 114 Nay: 10—HJ 1936
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Local Government—SJ 1609
 03/12/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1695
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304
- H 2667** Bill by Taxation
Comprehensive plan for reduction of sales tax rate and income tax rates, elimination of certain sales tax exemptions, imposition of sales tax on certain services and provision of sales tax exemption for certain purchases of food.
 02/08/2012 House—Introduced—HJ 1798

02/09/2012 House—Referred to Committee on Taxation—HJ 1807
 06/01/2012 House—Died in Committee

H 2668 Bill by Government Efficiency

Repealing K.S.A. 19-322.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1960
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Agriculture—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—SJ 1665
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1801
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

H 2669 Bill by Government Efficiency

Repealing K.S.A. 19-901, 19-902, 19-903 and 19-904.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room Room 546-S
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1861
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 120 Nay: 4—HJ 1961
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1659
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1696
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312

H 2670 Bill by Government Efficiency

Repealing K.S.A. 79-414.

02/08/2012 House—Introduced—HJ 1798

02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1961
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 06/01/2012 Senate—Died in Senate Committee

H 2671 Bill by Representative Otto
Legislative post audit committee abolished; duties transferred to legislative coordinating council.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Legislative Budget (House)—HJ 1807
 06/01/2012 House—Died in Committee

H 2672 Bill by Government Efficiency

Repealing K.S.A. 19-825
 02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 118 Nay: 6—HJ 1962
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1659
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1696
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/28/2012 House—Approved by Governor on Wednesday, 28 March 2012—HJ 2304

H 2673 Bill by Government Efficiency
Secretary of labor; powers and duties; employment standards; accident prevention programs; wage claim assignment fee fund.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/21/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1893

02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 120 Nay: 4—HJ 1968
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Commerce—SJ 1614
 03/07/2012 Senate—Hearing: Wednesday, March 14, 2012, 8:30 AM Room 548-S
 03/19/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Commerce—SJ 1777
 06/01/2012 Senate—Died on Senate General Orders

H 2674 Bill by Government Efficiency

Highway patrol; administration.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Transportation and Public Safety
 Budget—HJ 1807
 02/09/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 142-S
 02/23/2012 House—Withdrawn from Committee on Transportation and Public
 Safety Budget; Referred to Committee on Appropriations—HJ 1927
 02/29/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Transportation and Public Safety Budget—HJ 1972
 02/29/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 142-S
 03/06/2012 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Transportation and Public Safety
 Budget—HJ 1992
 03/09/2012 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 2011
 03/12/2012 Senate—Received and Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Transportation—SJ 1656
 03/13/2012 Senate—Hearing: Thursday, March 15, 2012, 8:30 AM Room 152-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended
 by Committee on Transportation—SJ 1707
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1809
 03/28/2012 House—Concurred with amendments; Yea: 121 Nay: 2—HJ 2299
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012
 —HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

H 2675 Bill by Government Efficiency

County clerks; county appraisers; real estate assessment rolls.

02/08/2012 House—Introduced—HJ 1798
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room
 546-S
 02/21/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Government Efficiency—HJ 1893
 02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1945
 02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0
 —HJ 1962
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615

03/08/2012 Senate—Hearing: Monday, March 12, 2012, 9:30 AM Room 159-S
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1659
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1696
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312

H 2676 Bill by Government Efficiency
County clerks; land owner duty to provide property description; tax rolls; repealed.

02/08/2012 House—Introduced—HJ 1802
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1963
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 06/01/2012 Senate—Died in Senate Committee

H 2677 Bill by Government Efficiency
County appraisers; full-time, part-time distinction eliminated.

02/08/2012 House—Introduced—HJ 1802
 02/09/2012 House—Referred to Committee on Local Government—HJ 1807
 02/10/2012 House—Withdrawn from Committee on Local Government; Referred to Committee on Government Efficiency—HJ 1817
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1945
 02/23/2012 House—Emergency Final Action - Passed; Yea: 119 Nay: 5—HJ 1963
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1659
 03/14/2012 Senate—Committee of the Whole - Be passed—SJ 1688
 03/15/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1696
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312

- H 2678** Bill by Representative Aurand
School districts; eliminating the high enrollment weighting.
 02/08/2012 House—Introduced—HJ 1802
 02/09/2012 House—Referred to Committee on Education—HJ 1807
 06/01/2012 House—Died in Committee
- H 2679** Bill by Insurance
Increasing the liability limits for motor vehicle insurance.
 02/08/2012 House—Introduced—HJ 1802
 02/09/2012 House—Referred to Committee on Insurance—HJ 1807
 06/01/2012 House—Died in Committee
- H 2680** Bill by Representatives Landwehr, Crum, Alford, Arpke, Bowers, Brown, Burgess, Cassidy, DeGraaf, Denning, Donohoe, Goico, Goodman, Gordon, Grange, Gregory, Grosserode, Hayzlett, Hoffman, Howell, Kelley, Kerschen, Kleeb, LeDoux, Meigs, Mesa, Montgomery, O'Hara, Patton, Phillips, Pottorff, Prescott, Proehl, Rhoades, Rubin, Ryckman, Smith, Suellentrop, Vickrey, Weber, B. Wolf
Health reimbursement arrangements.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Insurance—HJ 1807
 06/01/2012 House—Died in Committee
- H 2681** Bill by Representatives Landwehr, Alford, Boman, Brown, Brunk, Calloway, Carlson, Cassidy, Crum, DeGraaf, Denning, Donohoe, Garber, Goico, Goodman, Gordon, Grange, Grosserode, Hayzlett, Hedke, Hermanson, Hildabrand, Hoffman, M. Holmes, Howell, Huebert, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, Osterman, Peck, Powell, Prescott, Proehl, Rhoades, Rubin, Ruiz, Ryckman, Scapa, Seiwert, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf
Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Insurance—HJ 1807
 06/01/2012 House—Died in Committee
- H 2682** Bill by Government Efficiency
Repealing statutes relating to the purchase of real estate by the secretary of corrections which are no longer applicable.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room Room 546-S
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1861
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1964

02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Local Government—SJ 1615
 06/01/2012 Senate—Died in Senate Committee

H 2683

Bill by Government Efficiency

Repealing statutes related to the director of penal institutions.

02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room Room 546-S
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1861
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1964
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 12:00 PM Room 159-S
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1659
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1721
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/29/2012 House—Approved by Governor on Thursday, 29 March 2012—HJ 2312

H 2684

Bill by Government Efficiency

Repealing statutes relating to the ombudsman of corrections.

02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room Room 546-S
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1861
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 123 Nay: 1—HJ 1965
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 12:00 PM Room 159-S
 03/19/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1782
 03/21/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1952
 03/21/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1956
 03/26/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative Pauls as conferees—HJ 2277
 03/28/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2089
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 2142

- 05/08/2012 House—Conference Committee Report was adopted; Yea: 115 Nay: 6—HJ 2469
- 05/11/2012 House—Enrolled and presented to Governor on Friday, May 11, 2012—HJ 2749
- 05/16/2012 House—Approved by Governor on Wednesday, 16 May 2012—HJ 2799

- H 2685** Bill by Energy and Utilities
Allowing eligible water right holders to create reservoir improvement districts.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Energy and Utilities—HJ 1807
 02/09/2012 House—Hearing: Friday, February 10, 2012, 9:00 AM Room 785 Docking
 02/14/2012 House—Committee Report recommending bill be passed by Committee on Energy and Utilities—HJ 1843
 02/17/2012 House—Committee of the Whole - Be passed—HJ 1869
 02/20/2012 House—Final Action - Passed; Yea: 116 Nay: 5—HJ 1879
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Natural Resources—SJ 1546
 03/01/2012 Senate—Hearing: Friday, March 02, 2012, 8:30 AM Room 159-S
 03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Natural Resources—SJ 1706
 03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
 03/20/2012 Senate—Final Action - Passed as amended; Yea: 36 Nay: 3—SJ 1809
 03/28/2012 House—Concurred with amendments; Yea: 117 Nay: 6—HJ 2299
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361
- H 2686** Bill by Representatives Kelley, Arpke, Goodman, Gregory, Hildabrand, Mast, O'Brien, Scapa
Establishing a program for drug screening for cash assistance recipients.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Appropriations—HJ 1807
 02/14/2012 House—Withdrawn from Committee on Appropriations; Referred to Committee on Health and Human Services—HJ 1835
 02/29/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 784 Docking
 03/19/2012 House—Withdrawn from Committee on Health and Human Services; Rereferred to Committee on Federal and State Affairs—HJ 2174
 03/21/2012 House—Hearing: Monday, March 26, 2012, 1:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2687** Bill by Government Efficiency
State building advisory commission, reports and recommendations on state capital improvement budget estimates.
 02/08/2012 House—Introduced—HJ 1803
 02/09/2012 House—Referred to Committee on Government Efficiency—HJ 1807

02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 121 Nay: 3—HJ 1965
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 548-S
 03/13/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1662
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1801
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

H 2688 Bill by Representative Patton**Eliminating annualization by legislators in determination of benefits and contribution thereof.**

02/08/2012 House—Introduced—HJ 1804
 02/09/2012 House—Referred to Committee on Pensions and Benefits—HJ 1807
 06/01/2012 House—Died in Committee

H 2689 Bill by Representative Gregory**Substitute HB 2689 by Committee on Federal and State Affairs -Alcoholic beverages; tasting samples; microdistilleries; happy hours; public venue licenses; farm wineries; other.**

02/08/2012 House—Introduced—HJ 1804
 02/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1807
 03/01/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 346-S
 03/07/2012 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 1997
 03/12/2012 House—Committee of the Whole - Substitute bill be passed—HJ 2034
 03/13/2012 House—Final Action - Substitute passed; Yea: 107 Nay: 16—HJ 2037
 03/14/2012 Senate—Received and Introduced—SJ 1665
 03/15/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1690
 03/20/2012 Senate—Hearing: Wednesday, March 21, 2012, 12:00 PM Room At the rail
 03/21/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1957
 03/29/2012 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 2116
 03/29/2012 Senate—Emergency Final Action - Substitute passed as amended; Yea: 36 Nay: 2—SJ 2124
 03/30/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Brunk, Representative Patton and Representative Loganbill as conferees—HJ 2330
 03/30/2012 Senate—Motion to accede adopted; Senator Brungardt, Senator Reitz and Senator Faust-Goudeau appointed as conferees—SJ 2160

- 05/09/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—
SJ 2629
- 05/11/2012 House—Conference Committee Report was adopted; Yea: 97 Nay: 24—
HJ 2679
- 05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—
HJ 2918
- 05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2690** Bill by Representatives Garber, Arpke, Donohoe, Goodman, Landwehr, LeDoux,
O'Brien, O'Hara, Peck, Rubin, Schwab, Seiwert, Suellentrop
Kansas clean air act smoking on certain premises.
02/08/2012 House—Introduced—HJ 1804
02/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1807
03/07/2012 House—Hearing: Monday, March 12, 2012, 1:30 PM Room 346-S
05/02/2012 House—Committee Report recommending bill be passed by Committee
on Federal and State Affairs—HJ 2393
05/04/2012 House—Committee of the Whole - Referred to Committee on Health
and Human Services—HJ 2419
06/01/2012 House—Died in Committee
- H 2691** Bill by Representatives Mesa, Johnson
Biennial budget estimates for state agencies.
02/08/2012 House—Introduced—HJ 1804
02/09/2012 House—Referred to Committee on Appropriations—HJ 1807
02/21/2012 House—Hearing: Friday, March 02, 2012, 9:00 AM Room 346-S
06/01/2012 House—Died in Committee
- H 2692** Bill by Vision 2020
**Distribution of sales and use tax revenue; funding streams to the state water
plan fund.**
02/08/2012 House—Introduced—HJ 1804
02/09/2012 House—Referred to Committee on Taxation—HJ 1807
06/01/2012 House—Died in Committee
- H 2693** Bill by Representative Siegfried
**Agreements with school districts for service provided to students attending the
school for the blind and the school for the deaf.**
02/08/2012 House—Introduced—HJ 1804
02/09/2012 House—Referred to Committee on Education Budget—HJ 1807
02/15/2012 House—Hearing: Monday, February 20, 2012, 3:30 PM Room 159-S
02/22/2012 House—Withdrawn from Committee on Education Budget; Referred to
Committee on Appropriations—HJ 1924
06/01/2012 House—Died in Committee
- H 2694** Bill by Representative Siegfried
State capitol building; all faiths chapel.
02/08/2012 House—Introduced—HJ 1804

02/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 1807
 02/22/2012 House—Hearing: Wednesday, February 29, 2012, 1:30 PM Room 346-S
 03/05/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Federal and State Affairs—HJ 1986
 03/28/2012 House—Committee of the Whole - Be passed as amended—HJ 2302
 03/29/2012 House—Final Action - Passed as amended; Yea: 107 Nay: 17—HJ 2308
 03/30/2012 Senate—Received and Introduced—SJ 2159
 04/25/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 2163
 06/01/2012 Senate—Died in Senate Committee

H 2695 Bill by Representative Goodman
Amending the inspection requirements of facilities under the pet animal act.
 02/08/2012 House—Introduced—HJ 1804
 02/09/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1807
 06/01/2012 House—Died in Committee

H 2696 Bill by Representative Goico
Central database of information on resources supporting veterans.
 02/08/2012 House—Introduced—HJ 1804
 02/09/2012 House—Referred to Committee on Social Services Budget—HJ 1807
 02/15/2012 House—Hearing: Monday, February 20, 2012, 3:30 PM Room 711
 Docking
 02/21/2012 House—Withdrawn from Committee on Social Services Budget;
 Referred to Committee on Appropriations—HJ 1894
 02/22/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Social Services Budget—HJ 1906
 06/01/2012 House—Died in Committee

H 2697 Bill by Aging and Long-term Care
Relating to collateral assignment of the proceeds of life insurance policies.
 02/09/2012 House—Introduced—HJ 1807
 02/10/2012 House—Referred to Committee on Aging and Long-term Care—HJ
 1817
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room Room
 144-S
 02/22/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Aging and Long-term Care—HJ 1919
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on
 Appropriations—HJ 1927
 03/02/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Aging and Long-term Care—HJ 1981
 03/06/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Aging and Long-term Care—HJ 1992
 03/08/2012 House—Committee of the Whole - Be passed as amended—HJ 2007
 03/09/2012 House—Final Action - Passed as amended; Yea: 118 Nay: 0—HJ 2013
 03/12/2012 Senate—Received and Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Ways and Means—SJ 1656

03/14/2012 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Financial Institutions and Insurance—SJ 1664
03/15/2012 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1705
03/19/2012 Senate—Committee of the Whole - Be passed—SJ 1793
03/20/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1810
03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
04/06/2012 House—Approved by Governor on Friday, 06 April 2012—HJ 2361

- H 2698** Bill by Agriculture and Natural Resources
Water permit for sand and gravel pit projects.
02/09/2012 House—Introduced—HJ 1807
02/10/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1817
02/13/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room 783-DSOB
06/01/2012 House—Died in Committee
- H 2699** Bill by Judiciary
Relating to furnishing alcoholic liquor or cereal malt beverages to a minor.
02/09/2012 House—Introduced—HJ 1807
02/10/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1817
06/01/2012 House—Died in Committee
- H 2700** Bill by Transportation
Enacting the Kansas armored car services licensing act.
02/09/2012 House—Introduced—HJ 1807
02/10/2012 House—Referred to Committee on Transportation—HJ 1817
02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room 783-DOB
06/01/2012 House—Died in Committee
- H 2701** Bill by Pensions and Benefits
Eliminating KPERS service credit purchases.
02/09/2012 House—Introduced—HJ 1814
02/10/2012 House—Referred to Committee on Pensions and Benefits—HJ 1817
06/01/2012 House—Died in Committee
- H 2702** Bill by Pensions and Benefits
Eliminating cap on increase of employer contributions under KPERS.
02/09/2012 House—Introduced—HJ 1814
02/10/2012 House—Referred to Committee on Pensions and Benefits—HJ 1817
06/01/2012 House—Died in Committee

- H 2703** Bill by Government Efficiency
Repealer, central motor pool for state agencies.
 02/09/2012 House—Introduced—HJ 1814
 02/10/2012 House—Referred to Committee on Government Efficiency—HJ 1817
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
 02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1966
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 548-S
 03/13/2012 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 1662
 03/20/2012 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1801
 03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
 04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2704** Bill by Government Efficiency
Repealing statutes related to the Topeka correctional facility which are no longer applicable.
 02/09/2012 House—Introduced—HJ 1814
 02/10/2012 House—Referred to Committee on Government Efficiency—HJ 1817
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 3:30 PM Room Room 546-S
 02/16/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1861
 02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
 02/23/2012 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 1967
 02/29/2012 Senate—Received and Introduced—SJ 1610
 03/01/2012 Senate—Referred to Committee on Judiciary—SJ 1615
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 12:00 PM Room 159-S
 03/14/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1666
 03/15/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1721
 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Colloton, Representative Kinzer and Representative Pauls as conferees—HJ 2254
 03/27/2012 Senate—Motion to accede adopted; Senator Owens, Senator King and Senator Haley appointed as conferees—SJ 2083
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 2149
 05/14/2012 House—Conference Committee Report was adopted; Yea: 109 Nay: 7—HJ 2788

05/21/2012 House—Enrolled and presented to Governor on Monday, May 21, 2012
—HJ 3220

05/25/2012 House—Approved by Governor on Friday, 25 May 2012

- H 2705** Bill by Government Efficiency
State building construction, monthly progress reports on capital improvement projects by secretary of administration.
- 02/09/2012 House—Introduced—HJ 1814
02/10/2012 House—Referred to Committee on Government Efficiency—HJ 1817
02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
02/21/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1893
02/23/2012 House—Committee of the Whole - Be passed—HJ 1938
02/23/2012 House—Emergency Final Action - Passed; Yea: 116 Nay: 8—HJ 1967
02/29/2012 Senate—Received and Introduced—SJ 1610
03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
06/01/2012 Senate—Died in Senate Committee

- H 2706** Bill by Government Efficiency
Appraisal prior to purchase or disposition of real property by state or agency, appointment of appraiser.
- 02/09/2012 House—Introduced—HJ 1815
02/10/2012 House—Referred to Committee on Government Efficiency—HJ 1817
02/10/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room Room 546-S
02/17/2012 House—Committee Report recommending bill be passed by Committee on Government Efficiency—HJ 1871
02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1945
02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 107 Nay: 17—HJ 1967
02/29/2012 Senate—Received and Introduced—SJ 1610
03/01/2012 Senate—Referred to Committee on Ways and Means—SJ 1615
03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 10:30 AM Room 548-S
03/15/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1708
03/19/2012 Senate—Committee of the Whole - Be passed as amended—SJ 1793
03/20/2012 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1810
03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Burgess, Representative DeGraaf and Representative Trimmer as conferees—HJ 2254
03/27/2012 Senate—Motion to accede adopted; Senator McGinn, Senator Vratil and Senator Kelly appointed as conferees—SJ 2083
03/30/2012 House—Concurred with amendments in conference; Yea: 105 Nay: 12—HJ 2357
04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

- H 2707** Bill by Corrections and Juvenile Justice
Requiring judicial review of release of mentally incompetent defendants.
 02/09/2012 House—Introduced—HJ 1815
 02/10/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1817
 02/13/2012 House—Hearing: Friday, February 17, 2012, 1:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2708** Bill by Appropriations
Renewable energy resources.
 02/09/2012 House—Introduced—HJ 1815
 02/10/2012 House—Referred to Committee on Energy and Utilities—HJ 1817
 02/10/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 785-
 DSOB
 02/16/2012 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Energy and Utilities—HJ 1861
 02/21/2012 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 1887
 02/21/2012 Senate—Received and Introduced—SJ 1547
 02/22/2012 Senate—Referred to Committee on Utilities—SJ 1569
 02/29/2012 Senate—Hearing: Wednesday, March 07, 2012, 1:30 PM Room 548-S
 06/01/2012 Senate—Died in Senate Committee
- H 2709** Bill by Appropriations
**Substitute HB 2709 by Committee on Agriculture and Natural Resources --
 penalties and restitution relating to hunting violations, trespassing and
 criminal hunting.**
 02/09/2012 House—Introduced—HJ 1815
 02/10/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1817
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 9:00 AM Room 783
 Docking
 03/13/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Agriculture and Natural Resources—HJ 2074
 03/19/2012 House—Committee of the Whole - Substitute bill be passed as amended
 —HJ 2177
 03/20/2012 House—Final Action - Substitute passed as amended; Yea: 115 Nay: 8
 —HJ 2187
 03/20/2012 Senate—Received and Introduced—SJ 1943
 03/21/2012 Senate—Referred to Committee on Natural Resources—SJ 1945
 06/01/2012 Senate—Died in Senate Committee
- H 2710** Bill by Appropriations
**Time of payment of property taxes for certain persons 65 years of age and
 older.**
 02/09/2012 House—Introduced—HJ 1815
 02/10/2012 House—Referred to Committee on Taxation—HJ 1817
 06/01/2012 House—Died in Committee

- H 2711** Bill by Energy and Utilities
Counties, cost of plugging oil and gas wells.
02/09/2012 House—Introduced—HJ 1815
02/10/2012 House—Referred to Committee on Energy and Utilities—HJ 1817
02/13/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room
Docking Room 785
06/01/2012 House—Died in Committee
- H 2712** Bill by Federal and State Affairs
Kansas workers and community partnership act, undocumented aliens.
02/09/2012 House—Introduced—HJ 1815
02/10/2012 House—Referred to Committee on Federal and State Affairs—HJ 1817
02/10/2012 House—Hearing: Monday, February 13, 2012, 1:30 PM Room Room
346-S
02/10/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room Room
346-S
06/01/2012 House—Died in Committee
- H 2713** Bill by Education
Providing pupils with access to precollege curriculum courses through virtual schools.
02/09/2012 House—Introduced—HJ 1815
02/10/2012 House—Referred to Committee on Education—HJ 1817
02/10/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 784-
DOB
06/01/2012 House—Died in Committee
- H 2714** Bill by Elections
Recall of elected officials.
02/10/2012 House—Introduced—HJ 1816
02/13/2012 House—Referred to Committee on Elections—HJ 1829
06/01/2012 House—Died in Committee
- H 2715** Bill by Elections
Elections and electioneering; extension, drainage and public school districts.
02/10/2012 House—Introduced—HJ 1816
02/13/2012 House—Referred to Committee on Elections—HJ 1829
02/15/2012 House—Hearing: Monday, February 20, 2012, 9:45 AM Room 546-S
02/21/2012 House—Committee Report recommending bill be passed as amended
by Committee on Elections—HJ 1900
02/23/2012 House—Committee of the Whole - Be passed as amended—HJ 1939
02/23/2012 House—Emergency Final Action - Passed as amended; Yea: 114 Nay:
10—HJ 1950
02/29/2012 Senate—Received and Introduced—SJ 1610
03/01/2012 Senate—Referred to Committee on Ethics and Elections—SJ 1614
03/05/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 159-S
06/01/2012 Senate—Died in Senate Committee

- H 2716** Bill by Veterans, Military and Homeland Security
Exemption from personal property taxes for motor vehicles of active guard and reservists.
 02/10/2012 House—Introduced—HJ 1816
 02/13/2012 House—Referred to Committee on Taxation—HJ 1829
 06/01/2012 House—Died in Committee
- H 2717** Bill by Taxation
Allowing employees to retain and receive contributions from employers on individual policies and providing an income tax deduction for premiums paid on individually underwritten privately purchased health insurance policies.
 02/10/2012 House—Introduced—HJ 1817
 02/13/2012 House—Referred to Committee on Taxation—HJ 1829
 02/22/2012 House—Hearing: Wednesday, February 29, 2012, 3:30 PM Room 783 Docking
 03/06/2012 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 1992
 06/01/2012 House—Died on Calendar
- H 2718** Bill by Education
Providing authority for a school district to adopt a local activities budget.
 02/10/2012 House—Introduced—HJ 1817
 02/13/2012 House—Referred to Committee on Education—HJ 1829
 02/13/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 784 Docking
 02/21/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 1900
 02/22/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1924
 03/13/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 2075
 03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 2101
 03/19/2012 House—Committee of the Whole - Motion to recommend favorably for passage failed Yea: 53 Nay: 66—HJ 2175
 06/01/2012 House—Died on Calendar
- H 2719** Bill by Energy and Utilities
Oil and gas; horizontal drilling.
 02/10/2012 House—Introduced—HJ 1817
 02/13/2012 House—Referred to Committee on Energy and Utilities—HJ 1829
 06/01/2012 House—Died in Committee
- H 2720** Bill by Elections
Elections; use of tribal identification card as proof of citizenship.
 02/10/2012 House—Introduced—HJ 1817
 02/13/2012 House—Referred to Committee on Elections—HJ 1829

06/01/2012 House—Died in Committee

- H 2721** Bill by Elections
Elections; development of a voter education program by the Secretary of State.
02/10/2012 House—Introduced—HJ 1817
02/13/2012 House—Referred to Committee on Elections—HJ 1829
06/01/2012 House—Died in Committee
- H 2722** Bill by Elections
Elections; relating to the education of election workers.
02/10/2012 House—Introduced—HJ 1817
02/13/2012 House—Referred to Committee on Elections—HJ 1829
06/01/2012 House—Died in Committee
- H 2723** Bill by Government Efficiency
State agencies; bids for printing of agency materials; return of electronic files to the agency.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Government Efficiency—HJ 1829
02/13/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 546-S
06/01/2012 House—Died in Committee
- H 2724** Bill by Government Efficiency
Enacting Kansas one map; establishing a geographic information systems policy board and the position of geographic information systems officer.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1829
02/16/2012 House—Hearing: Friday, February 17, 2012, 9:00 AM Room 783 Docking
06/01/2012 House—Died in Committee
- H 2725** Bill by Government Efficiency
Repealer, Kansas advisory council on intergovernmental relations.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Government Efficiency—HJ 1829
02/13/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 546-S
06/01/2012 House—Died in Committee
- H 2726** Bill by Government Efficiency
Credit cards; forbidding the state to charge a surcharge or fee from a person using a credit card to pay state fees, taxes or other charges by the state.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Government Efficiency—HJ 1829
02/13/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 546-S

06/01/2012 House—Died in Committee

- H 2727** Bill by Government Efficiency
Motor Vehicles; distinctive license plates; payment of royalty fee.
 02/10/2012 House—Introduced—HJ 1825
 02/13/2012 House—Referred to Committee on Transportation—HJ 1829
 02/15/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 783
 Docking
 06/01/2012 House—Died in Committee
- H 2728** Bill by Insurance
Establishing the percentage of eligible employees that shall elect to participate in group life insurance and the minimum number of members a group life insurance policy shall cover.
 02/10/2012 House—Introduced—HJ 1825
 02/13/2012 House—Referred to Committee on Insurance—HJ 1829
 06/01/2012 House—Died in Committee
- H 2729** Bill by Agriculture and Natural Resources
Amending provisions relating to parks and recreation motor vehicle registration and permits.
 02/10/2012 House—Introduced—HJ 1825
 02/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1829
 02/13/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 783-DSOB
 02/23/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1945
 02/23/2012 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 1947
 03/02/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Agriculture and Natural Resources—HJ 1981
 03/02/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 783-DOB
 03/07/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1997
 03/12/2012 House—Committee of the Whole - Be passed as amended—HJ 2034
 03/13/2012 House—Final Action - Passed as amended; Yea: 84 Nay: 39—HJ 2037
 03/14/2012 Senate—Received and Introduced—SJ 1665
 03/15/2012 Senate—Referred to Committee on Natural Resources—SJ 1690
 03/30/2012 Senate—Withdrawn from Committee on Natural Resources; Referred to Committee on Federal and State Affairs—SJ 2131
 04/25/2012 Senate—Hearing: Thursday, April 26, 2012, 1:00 PM Room 144-S
 04/27/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 2302
 04/30/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2307
 04/30/2012 Senate—Emergency Final Action - Not passed; Yea: 13 Nay: 23—SJ 2308
 05/01/2012 Senate—Senator A. Schmidt - Motion to Reconsider - Return to Final

- Action - Adopted—SJ 2310
- 05/01/2012 Senate—Senator A. Schmidt - Motion to Reconsider - Return to Committee of the Whole - Adopted—SJ 2310
- 05/03/2012 Senate—Committee of the Whole - Be passed as further amended—SJ 2561
- 05/03/2012 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 2577
- 05/07/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2463
- 05/10/2012 Senate—Motion to accede adopted; Senator Brungardt, Senator Reitz and Senator Francisco appointed as conferees—SJ 2690
- 05/18/2012 House—Concurred with amendments in conference; Yea: 87 Nay: 27—HJ 2904
- 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
- 06/01/2012 House—Approved by Governor on Thursday, 31 May 2012

- H 2730** Bill by Agriculture and Natural Resources
Senate Substitute for HB 2730 by Committee on Agriculture -- Duties of the secretary of agriculture relating to inspections and licensing.
- 02/10/2012 House—Introduced—HJ 1825
- 02/13/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1829
- 02/13/2012 House—Hearing: Wednesday, February 15, 2012, 9:00 AM Room 783-DSOB
- 02/20/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—HJ 1880
- 02/22/2012 House—Committee of the Whole - Be passed as amended—HJ 1919
- 02/23/2012 House—Final Action - Passed as amended; Yea: 117 Nay: 7—HJ 1937
- 02/23/2012 Senate—Received and Introduced—SJ 1577
- 02/29/2012 Senate—Referred to Committee on Agriculture—SJ 1609
- 03/07/2012 Senate—Hearing: Tuesday, March 13, 2012, 7:30 AM Room 159-S
- 03/15/2012 Senate—Committee Report recommending substitute bill be passed by Committee on Agriculture—SJ 1702
- 03/19/2012 Senate—Committee of the Whole - Substitute bill be passed—SJ 1789
- 03/20/2012 Senate—Final Action - Substitute passed; Yea: 39 Nay: 1—SJ 1810
- 03/21/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Powell, Representative Kerschen and Representative Williams as conferees—HJ 2255
- 03/27/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as conferees—SJ 2083
- 04/25/2012 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 3—SJ 2265
- 05/03/2012 House—Conference Committee Report not adopted; Representative Powell, Representative Kerschen and Representative Williams appointed as second conferees—HJ 2417
- 05/04/2012 Senate—Motion to accede adopted; Senator Taddiken, Senator Teichman and Senator Francisco appointed as second conferees—SJ 2582
- 05/10/2012 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 3—

- SJ 2688
05/11/2012 House—Conference Committee Report was adopted; Yea: 94 Nay: 22—
HJ 2747
05/18/2012 House—Enrolled and presented to Governor on Friday, May 18, 2012—
HJ 2918
05/25/2012 House—Approved by Governor on Friday, 25 May 2012
- H 2731** Bill by Pensions and Benefits
Compensation for members of the legislature as determined for employee contribution and benefit purposes under KPERs.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Pensions and Benefits—HJ 1829
06/01/2012 House—Died in Committee
- H 2732** Bill by Pensions and Benefits
Fiscal notes and actuarial cost determination reports of bills containing KPERs benefit enhancements.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Pensions and Benefits—HJ 1829
06/01/2012 House—Died in Committee
- H 2733** Bill by Appropriations
Legislative page compensation; remuneration of not less than \$3 value.
02/10/2012 House—Introduced—HJ 1825
02/13/2012 House—Referred to Committee on Calendar and Printing—HJ 1829
02/13/2012 House—Hearing: Tuesday, February 14, 2012, 3:00 PM Room Room 172-W
06/01/2012 House—Died in Committee
- H 2734** Bill by Education Budget Committee
Compliance to the compulsory school attendance law for certain schools.
02/10/2012 House—Introduced—HJ 1826
02/13/2012 House—Referred to Committee on Education—HJ 1829
06/01/2012 House—Died in Committee
- H 2735** Bill by Transportation
Valuation of federally railbanked rights-of-way.
02/10/2012 House—Introduced—HJ 1826
02/13/2012 House—Referred to Committee on Taxation—HJ 1829
02/17/2012 House—Withdrawn from Committee on Taxation; Referred to Committee on Transportation—HJ 1864
02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 783 Docking
06/01/2012 House—Died in Committee
- H 2736** Bill by Corrections and Juvenile Justice
Amending requirements of stalking petitions for defendants under the age of

14.

02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Judiciary—HJ 1829
 06/01/2012 House—Died in Committee

- H 2737** Bill by Corrections and Juvenile Justice
Allowing for consecutive commitment to a juvenile correctional facility under certain circumstances.
 02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1829
 02/13/2012 House—Hearing: Thursday, February 16, 2012, 1:30 PM Room 144-S
 02/20/2012 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 1881
 02/22/2012 House—Committee of the Whole - Be passed—HJ 1917
 02/23/2012 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 1938
 02/23/2012 Senate—Received and Introduced—SJ 1577
 02/29/2012 Senate—Referred to Committee on Judiciary—SJ 1609
 03/07/2012 Senate—Hearing: Monday, March 12, 2012, 12:00 PM Room 159-S
 03/13/2012 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1659
 03/15/2012 Senate—Committee of the Whole - Be passed—SJ 1714
 03/15/2012 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1721
 03/23/2012 House—Enrolled and presented to Governor on Friday, March 23, 2012—HJ 2279
 03/26/2012 House—Approved by Governor on Monday, 26 March 2012—HJ 2277
- H 2738** Bill by Aging and Long-term Care
Relating to fingerprinting and criminal history record check of nursing program applicants.
 02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Aging and Long-term Care—HJ 1829
 02/13/2012 House—Hearing: Thursday, February 16, 2012, 9:00 AM Room 144-S
 02/23/2012 House—Withdrawn from Committee on Aging and Long-term Care; Referred to Committee on Appropriations—HJ 1947
 03/02/2012 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Aging and Long-term Care—HJ 1981
 06/01/2012 House—Died in Committee
- H 2739** Bill by Elections
Relating to certain municipality elections.
 02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Elections—HJ 1829
 06/01/2012 House—Died in Committee
- H 2740** Bill by Judiciary
Domestic relations; case management.

02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Judiciary—HJ 1829
 06/01/2012 House—Died in Committee

H 2741 Bill by Judiciary
Amending the Kansas family law code.
 02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Judiciary—HJ 1829
 02/15/2012 House—Withdrawn from Committee on Judiciary; Referred to
 Committee on Appropriations—HJ 1847
 02/23/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 1947
 03/08/2012 House—Hearing: Tuesday, March 13, 2012, 3:30 PM Room 346-S—HJ
 2007
 03/08/2012 House—Hearing: Tuesday, March 13, 2012, 3:30 PM Room 346-S
 03/16/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Judiciary—HJ 2141
 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2234
 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0
 —HJ 2261
 03/27/2012 Senate—Received and Introduced—SJ 2075
 03/28/2012 Senate—Referred to Committee on Judiciary—SJ 2087
 06/01/2012 Senate—Died in Senate Committee

H 2742 Bill by Judiciary
Relating to the medical assistance recovery program.
 02/10/2012 House—Introduced—HJ 1826
 02/13/2012 House—Referred to Committee on Judiciary—HJ 1829
 02/15/2012 House—Withdrawn from Committee on Judiciary; Referred to
 Committee on Appropriations—HJ 1847
 02/23/2012 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Judiciary—HJ 1947
 03/01/2012 House—Hearing: Monday, March 05, 2012, 3:30 PM Room 346-S
 06/01/2012 House—Died in Committee

H 2743 Bill by Appropriations
Abstracter's license fees.
 02/13/2012 House—Introduced—HJ 1829
 02/14/2012 House—Referred to Committee on Transportation and Public Safety
 Budget—HJ 1835
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 3:30 PM Room 142-S
 03/02/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation and Public Safety Budget—HJ 1983
 03/06/2012 House—Committee of the Whole - Be passed—HJ 1991
 03/07/2012 House—Final Action - Passed; Yea: 91 Nay: 30—HJ 1996
 03/07/2012 Senate—Received and Introduced—SJ 1633
 03/08/2012 Senate—Referred to Committee on Ways and Means—SJ 1643
 03/28/2012 Senate—Hearing: Thursday, March 29, 2012, 9:30 AM Room 548-S

03/29/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 2111
 03/30/2012 Senate—Committee of the Whole - Be passed—SJ 2133
 03/30/2012 Senate—Emergency Final Action - Passed; Yea: 36 Nay: 4—SJ 2150
 04/06/2012 House—Enrolled and presented to Governor on Friday, April 06, 2012—HJ 2362
 04/13/2012 House—Approved by Governor on Thursday, 12 April 2012—HJ 2361

H 2744 Bill by Federal and State Affairs
Public health care; sexual assault survivors right to emergency contraception information.

02/13/2012 House—Introduced—HJ 1829
 02/14/2012 House—Referred to Committee on Health and Human Services—HJ 1835
 06/01/2012 House—Died in Committee

H 2745 Bill by Appropriations
Postsecondary educational institutions; reducing the exception percentage for qualified admissions; eliminating funding for remedial courses.

02/14/2012 House—Introduced—HJ 1835
 02/15/2012 House—Referred to Committee on Appropriations—HJ 1847
 02/21/2012 House—Hearing: Wednesday, February 29, 2012, 9:00 AM Room 346-S
 03/14/2012 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 2085
 03/26/2012 House—Committee of the Whole - Be passed as amended—HJ 2270
 03/27/2012 House—Final Action - Passed as amended; Yea: 68 Nay: 55—HJ 2283
 03/27/2012 Senate—Received and Introduced—SJ 2084
 03/28/2012 Senate—Referred to Committee on Ways and Means—SJ 2087
 06/01/2012 Senate—Died in Senate Committee

H 2746 Bill by Appropriations
Court of appeals, delay of 14th judge position to January 2019.

02/14/2012 House—Introduced—HJ 1835
 02/15/2012 House—Referred to Committee on Appropriations—HJ 1847
 02/21/2012 House—Hearing: Friday, March 02, 2012, 9:00 AM Room 346-S
 03/14/2012 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 2085
 06/01/2012 House—Died on Calendar

H 2747 Bill by Taxation
Taxation, rate reduction for income and privilege tax based state general fund receipts computations; income tax, deductions, credits and income determination; distribution of sales and use tax revenue; severance tax exemption; and rural opportunity zones.

02/14/2012 House—Introduced—HJ 1844
 02/15/2012 House—Referred to Committee on Taxation—HJ 1847
 02/15/2012 House—Hearing: Wednesday, February 15, 2012, 3:30 PM Room 783

Docking
 02/15/2012 House—Hearing: Thursday, February 16, 2012, 3:30 PM Room 783
 Docking
 06/01/2012 House—Died in Committee

H 2748 Bill by Federal and State Affairs
Discharging a firearm inside or into a city; crime; exceptions.
 02/14/2012 House—Introduced—HJ 1844
 02/15/2012 House—Referred to Committee on Corrections and Juvenile Justice—
 HJ 1847
 06/01/2012 House—Died in Committee

H 2749 Bill by Federal and State Affairs
Regulations on school buses.
 02/14/2012 House—Introduced—HJ 1844
 02/15/2012 House—Referred to Committee on Transportation—HJ 1847
 02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 783
 Docking
 03/09/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 2023
 03/14/2012 House—Committee of the Whole - Be passed—HJ 2083
 03/15/2012 House—Final Action - Passed; Yea: 117 Nay: 6—HJ 2090
 03/15/2012 Senate—Received and Introduced—SJ 1722
 03/16/2012 Senate—Referred to Committee on Transportation—SJ 1723
 06/01/2012 Senate—Died in Senate Committee

H 2750 Bill by Appropriations
Oil and gas; responsibility for maintenance of a well.
 02/15/2012 House—Introduced—HJ 1847
 02/16/2012 House—Referred to Committee on Energy and Utilities—HJ 1856
 02/22/2012 House—Hearing: Thursday, March 01, 2012, 9:00 AM Room 785
 Docking
 06/01/2012 House—Died in Committee

H 2751 Bill by Federal and State Affairs
Limitations on grants of use of land and water for recreational purposes.
 02/15/2012 House—Introduced—HJ 1847
 02/16/2012 House—Referred to Committee on Agriculture and Natural Resources
 —HJ 1855
 06/01/2012 House—Died in Committee

H 2752 Bill by Federal and State Affairs
**Requiring candidates for public office to show proof of citizenship; president
 and vice president candidates; proof of natural born citizenship; other.**
 02/15/2012 House—Introduced—HJ 1847
 02/16/2012 House—Referred to Committee on Elections—HJ 1855
 06/01/2012 House—Died in Committee

- H 2753** Bill by Taxation
Schools; authorizing a tax credit to be used for educational opportunities.
 02/16/2012 House—Introduced—HJ 1855
 02/17/2012 House—Referred to Committee on Taxation—HJ 1864
 06/01/2012 House—Died in Committee
- H 2754** Bill by Appropriations
Reporting of certain information regarding newly hired persons.
 02/16/2012 House—Introduced—HJ 1855
 02/17/2012 House—Referred to Committee on Commerce and Economic
 Development—HJ 1864
 06/01/2012 House—Died in Committee
- H 2755** Bill by Appropriations
**Allowing the Kansas fairgrounds foundation to construct a building on the
 state fairgrounds, using private moneys; requires state fair board
 approval.**
 02/16/2012 House—Introduced—HJ 1855
 02/17/2012 House—Referred to Committee on Appropriations—HJ 1864
 02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 142-S
 03/07/2012 House—Committee Report recommending bill be passed as amended
 by Committee on Appropriations—HJ 1997
 03/14/2012 House—Committee of the Whole - Be passed as amended—HJ 2085
 03/15/2012 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 2091
 03/15/2012 Senate—Received and Introduced—SJ 1722
 03/16/2012 Senate—Referred to Committee on Ways and Means—SJ 1723
 03/28/2012 Senate—Hearing: Thursday, March 29, 2012, 9:30 AM Room 548-S
 06/01/2012 Senate—Died in Senate Committee
- H 2756** Bill by Appropriations
**Tax credit for person taking employment in a high unemployment rural
 opportunity zone.**
 02/16/2012 House—Introduced—HJ 1855
 02/17/2012 House—Referred to Committee on Taxation—HJ 1864
 02/29/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 783
 Docking
 06/01/2012 House—Died in Committee
- H 2757** Bill by Taxation
SP4 Michael T. Martin and Sgt Joseph A. Zutterman Jr. memorial bridges.
 02/17/2012 House—Introduced—HJ 1863
 02/20/2012 House—Referred to Committee on Transportation—HJ 1875
 02/29/2012 House—Hearing: Tuesday, March 06, 2012, 1:30 PM Room 783
 Docking
 03/07/2012 House—Committee Report recommending bill be passed by Committee
 on Transportation—HJ 2000
 03/14/2012 House—Committee of the Whole - Be passed—HJ 2083
 03/15/2012 House—Final Action - Passed; Yea: 115 Nay: 8—HJ 2091

03/15/2012 Senate—Received and Introduced—SJ 1722
 03/16/2012 Senate—Referred to Committee on Transportation—SJ 1723
 03/26/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 2065
 03/27/2012 Senate—Committee of the Whole - Be passed as amended—SJ 2078
 03/27/2012 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 2080
 03/29/2012 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hayzlett, Representative Prescott and Representative Wetta as conferees—HJ 2311
 03/29/2012 Senate—Motion to accede adopted; Senator Umbarger, Senator Marshall and Senator Kultala appointed as conferees—SJ 2125
 03/30/2012 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 2149
 05/09/2012 House—Conference Committee Report was adopted; Yea: 120 Nay: 4—HJ 2520
 05/14/2012 House—Enrolled and presented to Governor on Monday, May 14, 2012—HJ 2794
 05/18/2012 House—Approved by Governor on Thursday, 17 May 2012—HJ 2918

H 2758 Bill by Appropriations
Board of accountancy, special litigation reserve fund, expenditures, transfers from fee fund.

02/20/2012 House—Introduced—HJ 1875
 02/21/2012 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 1886
 02/29/2012 House—Hearing: Monday, March 05, 2012, 1:30 PM Room 142-S
 03/06/2012 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources Budget—HJ 1992
 03/08/2012 House—Committee of the Whole - Be passed as amended—HJ 2007
 03/09/2012 House—Final Action - Passed as amended; Yea: 116 Nay: 2—HJ 2013
 03/12/2012 Senate—Received and Introduced—SJ 1653
 03/13/2012 Senate—Referred to Committee on Ways and Means—SJ 1656
 03/28/2012 Senate—Hearing: Thursday, March 29, 2012, 9:30 AM Room 548-S
 03/30/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 2129
 06/01/2012 Senate—Died on Senate General Orders

H 2759 Bill by Federal and State Affairs
Microbrewery licenses; residency requirements deleted.

02/20/2012 House—Introduced—HJ 1875
 02/21/2012 House—Referred to Committee on Federal and State Affairs—HJ 1887
 06/01/2012 House—Died in Committee

H 2760 Bill by Appropriations
Appropriations for FY2012, FY 2013, and FY2014 for various state agencies.

02/20/2012 House—Introduced—HJ 1883
 02/21/2012 House—Referred to Committee on Appropriations—HJ 1886

06/01/2012 House—Died in Committee

- H 2761** Bill by Appropriations
Updating references and corresponding changes relating to Executive Reorganization Order No. 40 and the Kansas department of agriculture.
 02/20/2012 House—Introduced—HJ 1884
 02/21/2012 House—Referred to Committee on Agriculture and Natural Resources—HJ 1886
 03/14/2012 House—Hearing: Thursday, March 15, 2012, 9:00 AM Room 783 Docking
 03/16/2012 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 2116
 03/21/2012 House—Committee of the Whole - Be passed—HJ 2233
 03/21/2012 House—Emergency Final Action - Passed; Yea: 117 Nay: 5—HJ 2256
 03/27/2012 Senate—Received and Introduced—SJ 2075
 03/28/2012 Senate—Referred to Committee on Agriculture—SJ 2087
 06/01/2012 Senate—Died in Senate Committee
- H 2762** Bill by Appropriations
Three-year phase in of cost-of-living adjustment for certain retired members of KPERs.
 02/21/2012 House—Introduced—HJ 1886
 02/22/2012 House—Referred to Committee on Pensions and Benefits—HJ 1906
 06/01/2012 House—Died in Committee
- H 2763** Bill by Taxation
Enacting the Kansas economic freedom act of 2014.
 02/21/2012 House—Introduced—HJ 1886
 02/22/2012 House—Referred to Committee on Taxation—HJ 1906
 03/07/2012 House—Hearing: Wednesday, March 14, 2012, 3:30 PM Room 783 Docking
 03/07/2012 House—Hearing: Thursday, March 15, 2012, 3:30 PM Room 783 Docking
 06/01/2012 House—Died in Committee
- H 2764** Bill by Federal and State Affairs
Insurance; coverage for autism spectrum disorder.
 02/21/2012 House—Introduced—HJ 1894
 02/22/2012 House—Referred to Committee on Insurance—HJ 1906
 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 152-S—HJ 2000
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 2141
 03/21/2012 House—Committee of the Whole - Motion to refer to committee failed Yea: 41 Nay: 80 Committee on Appropriations—HJ 2248
 03/21/2012 House—Committee of the Whole - Be passed as amended—HJ 2252
 03/21/2012 House—Emergency Final Action - Passed as amended; Yea: 92 Nay: 30

—HJ 2258

03/27/2012 Senate—Received and Introduced—SJ 2075

03/28/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 2087

05/15/2012 Senate—Pursuant to Senate Rule 11(b), Senator Olson motioned to withdraw from Committee and place on General Orders—SJ 2838

05/16/2012 Senate—Motion to withdraw from Committee and place on General Orders, failed Yea: 20 Nay: 14—SJ 3112

05/17/2012 Senate—Reconsider motion to withdraw from Committee, adopted.—SJ 3134

05/17/2012 Senate—Motion to withdraw from Committee and place on General Orders, Yea: 22 Nay: 11—SJ 3134

06/01/2012 Senate—Died in Senate Committee

H 2765 Bill by Federal and State Affairs

Information submitted to department of labor for state directory of new hires.

02/21/2012 House—Introduced—HJ 1894

02/22/2012 House—Referred to Committee on Commerce and Economic Development—HJ 1906

06/01/2012 House—Died in Committee

H 2766 Bill by Appropriations

Creating the creative industries commission; abolishing the art commission and the film commission.

02/22/2012 House—Introduced—HJ 1905

02/23/2012 House—Referred to Committee on Education Budget—HJ 1927

02/29/2012 House—Hearing: Thursday, March 08, 2012, 3:30 PM Room 159-S

03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 2101

03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2205

03/21/2012 House—Final Action - Passed as amended; Yea: 118 Nay: 4—HJ 2220

03/21/2012 Senate—Received and Introduced—SJ 2060

03/26/2012 Senate—Referred to Committee on Ways and Means—SJ 2063

06/01/2012 Senate—Died in Senate Committee

H 2767 Bill by Taxation

Enacting the Kansas education liberty program act; authorizing a tax credit to be used for educational scholarships.

02/23/2012 House—Introduced—HJ 1947

02/29/2012 House—Referred to Committee on Taxation—HJ 1972

03/01/2012 House—Withdrawn from Committee on Taxation; Referred to Committee on Education Budget—HJ 1978

03/02/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 159-S

03/15/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 2096

03/26/2012 House—Committee of the Whole - Motion by Rep. Otto to refer to Committee on Taxation failed. Committee on Taxation—HJ 2275

03/26/2012 House—Committee of the Whole - Motion to recommend favorably for

passage failed Yea: 55 Nay: 66—HJ 2275
06/01/2012 House—Died on Calendar

- H 2768** Bill by Appropriations
Substitute HB 2768 by Committee on Appropriations -- Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement projects; claims against the state.
- 03/01/2012 House—Introduced—HJ 1978
03/02/2012 House—Referred to Committee on Appropriations—HJ 1981
03/02/2012 House—Hearing: Tuesday, March 06, 2012, 9:00 AM Room 346-S
05/01/2012 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 2388
05/08/2012 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2488
05/08/2012 House—Emergency Final Action - Substitute passed as amended; Yea: 77 Nay: 44—HJ 2488
05/09/2012 Senate—Received and Introduced—SJ 2631
05/10/2012 Senate—Referred to Committee on Ways and Means—SJ 2635
06/01/2012 Senate—Died in Senate Committee

- H 2769** Bill by Taxation
Property tax exemption for certain housing located on military installations in Kansas.
- 03/02/2012 House—Introduced—HJ 1981
03/05/2012 House—Referred to Committee on Taxation—HJ 1985
03/05/2012 House—Hearing: Tuesday, March 06, 2012, 3:30 PM Room 783-DSOB
03/08/2012 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 2007
03/12/2012 House—Committee of the Whole - Be passed—HJ 2033
03/13/2012 House—Final Action - Passed; Yea: 121 Nay: 2—HJ 2038
03/14/2012 Senate—Received and Introduced—SJ 1665
03/15/2012 Senate—Referred to Committee on Assessment and Taxation—SJ 1690
03/16/2012 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1725
03/20/2012 Senate—Committee of the Whole - Be passed—SJ 1811
03/21/2012 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1952
03/30/2012 House—Enrolled and presented to Governor on Friday, March 30, 2012—HJ 2358
04/05/2012 House—Approved by Governor on Wednesday, 04 April 2012—HJ 2361

- H 2770** Bill by Appropriations
Securities commissioner; litigation and restitution funds created, appointment of professional staff.
- 03/02/2012 House—Introduced—HJ 1983
03/05/2012 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 1985
03/06/2012 House—Hearing: Thursday, March 08, 2012, 1:30 PM Room 142-S

03/12/2012 House—Hearing: Tuesday, March 13, 2012, 1:30 PM Room 142
 06/01/2012 House—Died in Committee

- H 2771** Bill by Federal and State Affairs
Relating to appeals; trials; violations of the uniform act regulating traffic on highways.
 03/05/2012 House—Introduced—HJ 1986
 03/06/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1990
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 1:00 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 2772** Bill by Taxation
Sales tax exemption for purchase by and on behalf of first call for help, Inc.
 03/06/2012 House—Introduced—HJ 1990
 03/07/2012 House—Referred to Committee on Taxation—HJ 1995
 06/01/2012 House—Died in Committee
- H 2773** Bill by Taxation
Authorizing the expenditure of unencumbered balances held by school districts; reducing local option budget authority in certain circumstances.
 03/06/2012 House—Introduced—HJ 1990
 03/07/2012 House—Referred to Committee on Education Budget—HJ 1995
 03/07/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 159-S
 03/16/2012 House—Committee Report recommending bill be passed as amended by Committee on Education Budget—HJ 2127
 03/20/2012 House—Committee of the Whole - Be passed as amended—HJ 2206
 03/21/2012 House—Final Action - Passed as amended; Yea: 114 Nay: 9—HJ 2221
 03/21/2012 Senate—Received and Introduced—SJ 2060
 03/26/2012 Senate—Referred to Committee on Ways and Means—SJ 2063
 06/01/2012 Senate—Died in Senate Committee
- H 2774** Bill by Appropriations
Alcoholic liquor; class A private clubs; veteran's organizations.
 03/06/2012 House—Introduced—HJ 1992
 03/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1995
 03/28/2012 House—Hearing: Thursday, March 29, 2012, 1:30 PM Room 346-S
 06/01/2012 House—Died in Committee
- H 2775** Bill by Federal and State Affairs
Lottery, gaming, parimutuel winnings, debt set off; child support.
 03/06/2012 House—Introduced—HJ 1992
 03/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1995
 03/07/2012 House—Hearing: Monday, March 12, 2012, 1:30 PM Room 346-S
 03/12/2012 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Children and Families—HJ 2030

03/13/2012 House—Hearing: Thursday, March 15, 2012, 9:00 AM Room 142-S
 06/01/2012 House—Died in Committee

H 2776 Bill by Federal and State Affairs

State fire marshal; prohibit adoption of certain fire codes.

03/07/2012 House—Introduced—HJ 1994
 03/08/2012 House—Referred to Committee on Local Government—HJ 2004
 03/12/2012 House—Hearing: Tuesday, March 13, 2012, 3:30 PM Room 144-S
 06/01/2012 House—Died in Committee

H 2777 Bill by Appropriations

Authorizing the payment for paraprofessional services by school districts to the state school for the deaf and the state school for the blind.

03/07/2012 House—Introduced—HJ 1994
 03/08/2012 House—Referred to Committee on Education Budget—HJ 2004
 03/09/2012 House—Hearing: Monday, March 12, 2012, 3:30 PM Room 159-S
 03/13/2012 House—Committee Report recommending bill be passed by Committee on Education Budget—HJ 2075
 03/19/2012 House—Committee of the Whole - Be passed—HJ 2150
 03/20/2012 House—Final Action - Passed; Yea: 122 Nay: 2—HJ 2187
 03/20/2012 Senate—Received and Introduced—SJ 1814
 03/21/2012 Senate—Referred to Committee on Ways and Means—SJ 1945
 04/25/2012 Senate—Hearing: Thursday, April 26, 2012, 9:15 AM Room 548-S
 04/26/2012 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 2293
 04/30/2012 Senate—Committee of the Whole - Be passed—SJ 2307
 04/30/2012 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 2308
 05/04/2012 House—Enrolled and presented to Governor on Friday, May 04, 2012—HJ 2454
 05/09/2012 House—Approved by Governor on Tuesday, 08 May 2012—HJ 2493

H 2778 Bill by Federal and State Affairs

City annexation of fire district land; double taxation; refund.

03/07/2012 House—Introduced—HJ 1994
 03/08/2012 House—Referred to Committee on Taxation—HJ 2004
 06/01/2012 House—Died in Committee

H 2779 Bill by Federal and State Affairs

Human trafficking; crimes of commercial sexual exploitation of a child, selling sexual relations, promoting the sale of sexual relations and buying sexual relations.

03/07/2012 House—Introduced—HJ 2000
 03/08/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2004
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 1:00 PM Room 144-S
 06/01/2012 House—Died in Committee

- H 2780** Bill by Federal and State Affairs
Relating to ballot language statements.
 03/07/2012 House—Introduced—HJ 2000
 03/08/2012 House—Referred to Committee on Elections—HJ 2004
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 9:00 AM Room 546-S
 06/01/2012 House—Died in Committee
- H 2781** Bill by Appropriations
Task force on obesity prevention and management.
 03/08/2012 House—Introduced—HJ 2003
 03/09/2012 House—Referred to Committee on Health and Human Services—HJ
 2010
 06/01/2012 House—Died in Committee
- H 2782** Bill by Federal and State Affairs
**Substitute HB 2782 by Committee on Elections -- Elections; qualifications to
 run for public office in Kansas.**
 03/09/2012 House—Introduced—HJ 2009
 03/12/2012 House—Referred to Committee on Elections—HJ 2029
 03/12/2012 House—Hearing: Wednesday, March 14, 2012, 9:00 AM Room 546-S
 03/20/2012 House—Committee Report recommending substitute bill be passed by
 Committee on Elections—HJ 2210
 06/01/2012 House—Died on Calendar
- H 2783** Bill by Taxation
Sales tax exemption for the Thomas P. O'Sullivan foundation.
 03/09/2012 House—Introduced—HJ 2026
 03/12/2012 House—Referred to Committee on Taxation—HJ 2030
 06/01/2012 House—Died in Committee
- H 2784** Bill by Appropriations
**Repealing certain motor fees and surcharges; VIPS/CAMA technology
 hardware fee, division of vehicles modernization surcharge; driver's
 license photo fee.**
 03/13/2012 House—Introduced—HJ 2075
 03/14/2012 House—Referred to Committee on Transportation—HJ 2078
 06/01/2012 House—Died in Committee
- H 2785** Bill by Appropriations
**Kansas Bioscience authority; term limit, affiliation with KPERs and conflict of
 interest.**
 03/13/2012 House—Introduced—HJ 2075
 03/14/2012 House—Referred to Committee on Appropriations—HJ 2078
 03/14/2012 House—Hearing: Friday, March 16, 2012, 9:00 AM Room 346-S
 06/01/2012 House—Died in Committee

- H 2786** Bill by Appropriations
Moratorium on employer contributions to KPERS death and disability plan during fourth quarter of fiscal year 2012.
03/14/2012 House—Introduced—HJ 2078
03/15/2012 House—Referred to Committee on Pensions and Benefits—HJ 2090
03/28/2012 House—Committee Report recommending bill be passed by Committee on Pensions and Benefits—HJ 2303
06/01/2012 House—Died on Calendar
- H 2787** Bill by Federal and State Affairs
Enforcement of support orders; income withholding.
03/14/2012 House—Introduced—HJ 2085
03/15/2012 House—Referred to Committee on Judiciary—HJ 2090
06/01/2012 House—Died in Committee
- H 2788** Bill by Federal and State Affairs
Prohibition on use of state appropriated moneys to lobby at state and local government level.
03/15/2012 House—Introduced—HJ 2089
03/16/2012 House—Referred to Committee on Appropriations—HJ 2104
03/19/2012 House—Hearing: Wednesday, March 21, 2012, 8:30 AM Room 346-S
06/01/2012 House—Died in Committee
- H 2789** Bill by Appropriations
Creating the joint committee on KanCare oversight.
03/15/2012 House—Introduced—HJ 2101
03/16/2012 House—Referred to Committee on Appropriations—HJ 2104
03/19/2012 House—Hearing: Wednesday, March 21, 2012, 8:30 AM Room 346-S
03/21/2012 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 2252
03/29/2012 House—Committee of the Whole - Referred to Yea: 69 Nay: 54
Committee on Appropriations—HJ 2311
06/01/2012 House—Died in Committee
- H 2790** Bill by Appropriations
Allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes.
03/28/2012 House—Introduced—HJ 2304
03/29/2012 House—Referred to Committee on Appropriations—HJ 2307
03/29/2012 House—Hearing: Friday, April 20, 2012, 8:30 AM Room 346-S
04/25/2012 House—Hearing: Wednesday, April 25, 2012, 9:00 AM Room Room 346-S
06/01/2012 House—Died in Committee
- H 2791** Bill by Appropriations
Elections; delay of primary election and candidate filing deadline and related procedures.

04/25/2012 House—Introduced—HJ 2360
 04/26/2012 House—Referred to Committee on Redistricting—HJ 2365
 06/01/2012 House—Died in Committee

- H 2792** Bill by Appropriations
Reconciling amendments to certain statutes and making certain technical changes related thereto.
 04/26/2012 House—Introduced—HJ 2369
 04/26/2012 House—Referred to Committee of the Whole—HJ 2372
 05/04/2012 House—Committee of the Whole - Be passed—HJ 2419
 05/07/2012 House—Final Action - Passed; Yea: 117 Nay: 0—HJ 2456
 05/09/2012 Senate—Received and Introduced—SJ 2631
 05/10/2012 Senate—Referred to Committee on Ways and Means—SJ 2635
 05/15/2012 Senate—Hearing: Wednesday, May 16, 2012, 9:00 AM Room 548-S
 05/17/2012 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 3125
 05/18/2012 Senate—Committee of the Whole - Be passed as amended—SJ 3136
 05/18/2012 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 3230
 05/19/2012 House—Concurred with amendments; Yea: 86 Nay: 0—HJ 2935
 05/25/2012 House—Enrolled and presented to Governor on Friday, May 25, 2012
 06/01/2012 House—Approved by Governor on Thursday, 31 May 2012

- H 2793** Bill by Appropriations
Kansas credit services organization; exemptions for attorneys and such attorneys' law firm.
 04/27/2012 House—Introduced—HJ 2372
 04/30/2012 House—Referred to Committee on Financial Institutions—HJ 2379
 04/30/2012 House—Hearing: Tuesday, May 01, 2012, 8:00 AM Room 152-S
 05/01/2012 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions—HJ 2388
 05/04/2012 House—Committee of the Whole - Be passed as amended—HJ 2419
 05/07/2012 House—Final Action - Passed as amended; Yea: 104 Nay: 13—HJ 2457
 05/09/2012 Senate—Received and Introduced—SJ 2631
 05/10/2012 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 2635
 06/01/2012 Senate—Died in Senate Committee

- H 2794** Bill by Appropriations
Redistricting; House districts.
 05/02/2012 House—Introduced—HJ 2400
 05/03/2012 House—Referred to Committee on Redistricting—HJ 2402
 05/03/2012 House—Hearing: Monday, May 07, 2012, 12:00 PM Room 346-S—HJ 2416
 06/01/2012 House—Died in Committee

- H 2795** Bill by Appropriations
Redistricting; Senate districts.
 05/02/2012 House—Introduced—HJ 2400

05/03/2012 House—Referred to Committee on Redistricting—HJ 2402
05/03/2012 House—Hearing: Monday, May 07, 2012, 12:00 PM Room 346-S—HJ 2416
06/01/2012 House—Died in Committee

H 2796 Bill by Appropriations

Redistricting; State board of education member districts.

05/02/2012 House—Introduced—HJ 2400
05/03/2012 House—Referred to Committee on Redistricting—HJ 2402
05/03/2012 House—Hearing: Monday, May 07, 2012, 12:00 PM Room 346-S—HJ 2416
06/01/2012 House—Died in Committee

H 2797 Bill by Appropriations

Kansas restraint of trade act; rule of reason; class actions.

05/10/2012 House—Introduced—HJ 2563
05/10/2012 House—Referred to Committee on Judiciary—HJ 2563
06/01/2012 House—Died in Committee

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5004** Concurrent Resolution by Federal and State Affairs
Constitutional amendment; city home rules, charter ordinance restriction.
 01/13/2011 House—Introduced—HJ 77
 01/14/2011 House—Referred to Committee on Local Government—HJ 82
 01/25/2012 House—Hearing: Tuesday, January 31, 2012, 3:30 PM Room 144-S
 06/01/2012 House—Died in Committee
- H 5005** Concurrent Resolution by Energy and Utilities
Establishing targets for energy development, consumption and costs.
 01/20/2011 House—Introduced—HJ 94
 01/21/2011 House—Referred to Committee on Energy and Utilities—HJ 97
 01/26/2011 House—Hearing: Thursday, January 27, 2011, 9:00 AM Room 785
 DSOB
 01/26/2011 House—Hearing: Wednesday, January 26, 2011, 9:00 AM Room 785
 DSOB
 01/28/2011 House—Hearing: Monday, January 31, 2011, 9:00 AM Room 785
 DSOB
 06/01/2012 House—Died in Committee
- H 5006** Concurrent Resolution by Representative Kinzer
State constitutional amendment concerning appropriations of money and expenditure of funds appropriated by law by the legislative branch.
 01/24/2011 House—Introduced—HJ 104
 01/25/2011 House—Referred to Committee on Judiciary—HJ 109
 02/18/2011 House—Committee Report recommending resolution be adopted as amended by Committee on Judiciary—HJ 290
 03/14/2012 House—Withdrawn from Calendar, Rereferred to Committee on Judiciary—HJ 2078
 03/16/2012 House—Committee Report recommending resolution be adopted as amended by Committee on Judiciary—HJ 2142
 03/27/2012 House—Committee of the Whole - Be adopted as amended Yea: 91
 Nay: 31—HJ 2284
 03/28/2012 House—Final Action - Not adopted by required 2/3 majority; Yea: 79
 Nay: 44—HJ 2295
 03/28/2012 House—Motion to Reconsider Failed—HJ 2296
- H 5007** Concurrent Resolution by Representatives Landwehr, Mosier, Denning, Rubin, Alford, Arpke, Boman, Bruchman, Brunk, Calloway, Carlson, Cassidy, Collins, Crum, DeGraaf, Donohoe, Fawcett, Garber, Goico, Gonzalez, Goodman, Gordon, Gregory, Grosserode, Hayzlett, Hermanson, Hildabrand, Hoffman, M. Holmes, Howell, Huebert, Johnson, Kelley, Kerschen, Kiegerl, Kinzer, Kleeb, Mast, McLeland, Meigs, Mesa, Montgomery, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Powell, Prescott, Rhoades, Ryckman, Scapa, Schwartz, Seiwert, Siegfried, Smith, Suellentrop, Vickrey, Weber, B. Wolf

Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.

01/31/2011 House—Introduced—HJ 132
 02/03/2011 House—Referred to Committee on Health and Human Services—HJ 148
 02/04/2011 House—Committee Report recommending resolution be adopted as amended by Committee on Health and Human Services—HJ 163
 02/10/2011 House—Committee of the Whole - Be adopted as amended Yea: 93 Nay: 26—HJ 223
 02/11/2011 House—Final Action - Adopted as amended; Yea: 91 Nay: 27—HJ 236
 02/14/2011 Senate—Received and Introduced—SJ 161
 02/15/2011 Senate—Referred to Committee on Judiciary—SJ 194
 02/06/2012 Senate—Committee Report recommending resolution be adopted by Committee on Judiciary—SJ 1455
 02/23/2012 Senate—Committee of the Whole - Rereferred to Yea: 19 Nay: 20 Committee on Judiciary—SJ 1597
 02/23/2012 Senate—Committee of the Whole - Be adopted as amended—SJ 1598
 02/23/2012 Senate—Emergency Final Action - Not adopted by required 2/3 majority; Yea: 26 Nay: 14—SJ 1605

H 5008 Concurrent Resolution by Elections
State constitutional amendment relating to the reapportionment of senatorial and representative districts.

02/03/2011 House—Introduced—HJ 157
 02/04/2011 House—Referred to Committee on Calendar and Printing—HJ 160
 06/01/2012 House—Died in Committee

H 5010 Concurrent Resolution by Education
Constitutional amendment concerning school finance; suitable finance of public school funds in the amount and manner determined by the legislature.

02/08/2011 House—Introduced—HJ 190
 02/09/2011 House—Referred to Committee on Education—HJ 213
 03/10/2011 House—Committee Report recommending resolution be adopted as amended by Committee on Education—HJ 451
 03/14/2011 House—Withdrawn from Calendar, Rereferred to Committee on Education—HJ 478
 03/22/2011 House—Committee Report recommending resolution be adopted as amended by Committee on Education—HJ 650
 06/25/2012 House—Died on Calendar

H 5011 Concurrent Resolution by Government Efficiency
Constitutional amendment; creating a contingency reserve fund and debt prepayment fund in the state treasury; annual transfers and withdrawals only under certain circumstances.

02/08/2011 House—Introduced—HJ 208
 02/09/2011 House—Referred to Committee on Taxation—HJ 213
 06/01/2012 House—Died in Committee

- H 5012** Concurrent Resolution by Energy and Utilities
Establishing policy goals for energy development, consumption and costs.
 02/09/2011 House—Introduced—HJ 215
 02/10/2011 House—Referred to Committee on Energy and Utilities—HJ 220
 03/03/2011 House—Hearing: Thursday, March 03, 2011, 9:00 AM Room 785
 DSOB
 06/01/2012 House—Died in Committee
- H 5013** Concurrent Resolution by Federal and State Affairs
Constitutional amendment to provide revenue, expenditure and taxation limitations on state government.
 02/10/2011 House—Introduced—HJ 225
 02/11/2011 House—Referred to Committee on Taxation—HJ 233
 06/01/2012 House—Died in Committee
- H 5015** Concurrent Resolution by Judiciary
Governor appoints supreme court justices, senate consents; nominating commission membership amended; lifetime appoint, subject to removal for cause.
 02/15/2011 House—Introduced—HJ 257
 02/16/2011 House—Referred to Committee on Judiciary—HJ 265
 06/01/2012 House—Died in Committee
- H 5016** Concurrent Resolution by Representative Fawcett
Urging Congress to extend equal benefits for the treatment of Agent Orange exposure to Vietnam veterans who served outside of Vietnam.
 02/16/2011 House—Introduced—HJ 269
 02/17/2011 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 276
 02/22/2011 House—Committee Report recommending resolution be adopted as amended by Committee on Veterans, Military and Homeland Security—HJ 319
 03/10/2011 House—Committee of the Whole - Be adopted as amended—HJ 450
 03/11/2011 House—Final Action - Adopted as amended; Yea: 119 Nay: 0—HJ 455
 03/14/2011 Senate—Received and Introduced—SJ 313
 03/15/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 20
 01/18/2012 Senate—Hearing: Wednesday, January 25, 2012, 10:30 AM Room 144-S
 01/26/2012 Senate—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—SJ 1391
 02/01/2012 Senate—Committee of the Whole - Be adopted—SJ 1425
 02/02/2012 Senate—Final Action - Adopted; Yea: 39 Nay: 0—SJ 1435
 02/09/2012 House—Enrolled and presented to Secretary of State on Thursday, January 19, 2012
 02/21/2012 House—Enrolled and presented to Secretary of State on Tuesday, February 21, 2012—HJ 1903
- H 5017** Concurrent Resolution by Taxation
Constitutional amendment authorizing legislature to provide for classification

and taxation of watercraft.

- 02/17/2011 House—Introduced—HJ 274
 02/18/2011 House—Referred to Committee on Taxation—HJ 285
 03/14/2011 House—Committee Report recommending resolution be adopted by
 Committee on Taxation—HJ 474
 03/18/2011 House—Committee of the Whole - Be adopted—HJ 566
 03/21/2011 House—Final Action - Adopted; Yea: 121 Nay: 2—HJ 589
 03/21/2011 Senate—Received and Introduced—SJ 399
 03/22/2011 Senate—Referred to Committee on Assessment and Taxation—SJ 432
 01/25/2012 Senate—Hearing: Thursday, February 02, 2012, 10:30 AM Room 152-S
 02/03/2012 Senate—Committee Report recommending resolution be adopted by
 Committee on Assessment and Taxation—SJ 1440
 02/15/2012 Senate—Committee of the Whole - Be adopted—SJ 1521
 02/16/2012 Senate—Final Action - Adopted; Yea: 40 Nay: 0—SJ 1536
 02/29/2012 House—Enrolled and presented to Secretary of State on Wednesday,
 February 29, 2012—HJ 1975

H 5018 Concurrent Resolution by Education
**Constitutional amendment to abolish state board of education and create
 secretary of education.**

- 02/17/2011 House—Introduced—HJ 280
 02/18/2011 House—Referred to Committee on Education—HJ 285
 06/01/2012 House—Died in Committee

H 5019 Concurrent Resolution by Appropriations
**Requesting a study and recommendations by the state board of education on
 an administrative reorganization of school districts.**

- 02/18/2011 House—Introduced—HJ 284
 02/21/2011 House—Referred to Committee on Education—HJ 300
 03/08/2011 House—Hearing: Tuesday, March 08, 2011, 9:00 AM Room 784 DSOB
 06/01/2012 House—Died in Committee

H 5020 Concurrent Resolution by Representatives O'Neal, Siegfried, Vickrey
Endorsing Taiwan's participation as an observer in the ICAO and UNFCCC.

- 02/21/2011 House—Introduced—HJ 299
 02/22/2011 House—Referred to Committee on Federal and State Affairs—HJ 308
 03/14/2011 House—Committee Report recommending resolution be adopted and
 placed on Consent Calendar by Committee on Federal and State Affairs—
 HJ 474
 03/17/2011 House—Final Action - Adopted; Yea: 120 Nay: 0—HJ 537
 03/17/2011 Senate—Received and Introduced—SJ 375
 03/18/2011 Senate—Referred to Committee on Federal and State Affairs—SJ 384
 06/01/2012 Senate—Died in Senate Committee

H 5022 Concurrent Resolution by Special Natural Gas Storage Fields and Facilities
**Urging adoption of federal regulations or policies permitting Kansas to
 regulate the underground storage of natural gas in interstate
 transportation.**

03/02/2011 House—Introduced—HJ 414
 03/03/2011 House—Referred to Committee on Energy and Utilities—HJ 422
 03/14/2011 House—Committee Report recommending resolution be adopted by
 Committee on Energy and Utilities—HJ 474
 03/21/2011 House—Committee of the Whole - Be adopted—HJ 599
 03/22/2011 House—Final Action - Adopted; Yea: 121 Nay: 0—HJ 634
 03/22/2011 Senate—Received and Introduced—SJ 438
 03/23/2011 Senate—Referred to Committee on Utilities—SJ 471
 06/01/2012 Senate—Died in Senate Committee

H 5023 Concurrent Resolution by Energy and Utilities
Urging Congress to permit the Kansas Corporation Commission to regulate hydraulic fracturing.

03/03/2011 House—Introduced—HJ 420
 03/04/2011 House—Referred to Committee on Energy and Utilities—HJ 423
 03/11/2011 House—Committee Report recommending resolution be adopted by
 Committee on Energy and Utilities—HJ 458
 03/15/2011 House—Committee of the Whole - Be adopted—HJ 503
 03/16/2011 House—Final Action - Adopted; Yea: 123 Nay: 0—HJ 515
 03/16/2011 Senate—Received and Introduced—SJ 365
 03/17/2011 Senate—Referred to Committee on Utilities—SJ 374
 06/01/2012 Senate—Died in Senate Committee

H 5025 Concurrent Resolution by Transportation
Truck size and weight limits.

03/10/2011 House—Introduced—HJ 449
 03/11/2011 House—Referred to Committee on Transportation—HJ 455
 06/01/2012 House—Died in Committee

H 5026 Concurrent Resolution by Representatives Ruiz, Goico, Gonzalez, Mesa
Outlining the State of Kansas' principles regarding immigration reform policy.

03/28/2011 House—Introduced—HJ 726
 03/29/2011 House—Referred to Committee on Federal and State Affairs—HJ 782
 06/01/2012 House—Died in Committee

H 5027 Concurrent Resolution by Vision 2020
Promoting solar energy and solar electric cooperatives in Kansas.

04/28/2011 House—Introduced—HJ 927
 04/29/2011 House—Referred to Committee on Energy and Utilities—HJ 937
 06/01/2012 House—Died in Committee

H 5028 Concurrent Resolution by Representatives O'Neal, Davis
Joint sessions for hearing message of governor and message of supreme court.

01/09/2012 House—Introduced—HJ 1674
 01/09/2012 House—Adopted without roll call—HJ 1674
 01/09/2012 Senate—Received and Introduced—SJ 1336
 01/09/2012 Senate—Adopted without roll call—SJ 1336

01/19/2012 House—Enrolled and presented to Secretary of State on Thursday, January 19, 2012—HJ 1703

- H 5029** Concurrent Resolution by Representatives Garber, Billinger, Boman, Calloway, Collins, Crum, Fawcett, Goico, Goodman, Gregory, Hayzlett, Hedke, Hoffman, Howell, Huebert, Knox, LeDoux, Mesa, O'Brien, Otto, Peck, Powell, Scapa, Seiwert, Wetta
State constitutional amendment; human life amendment.
 01/18/2012 House—Introduced—HJ 1697
 01/19/2012 House—Referred to Committee on Judiciary—HJ 1701
 06/01/2012 House—Died in Committee
- H 5030** Concurrent Resolution by Representatives O'Brien, Arpke, Calloway, Garber, Goodman, Gregory, Grosseirode, M. Holmes, Huebert, Kelley, Knox, Mast, Meigs, O'Hara, Scapa
Urging the United States congress to adopt the parental rights amendment.
 02/01/2012 House—Introduced—HJ 1743
 02/02/2012 House—Referred to Committee on Children and Families—HJ 1761
 06/01/2012 House—Died in Committee
- H 5031** Concurrent Resolution by Joint Kansas Security
Urging department of defense to re-evaluate types of facilities where Tricare covers substance abuse treatment.
 02/01/2012 House—Introduced—HJ 1744
 02/02/2012 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 1762
 02/06/2012 House—Hearing: Tuesday, February 07, 2012, 9:00 AM Room Room 546-S
 02/07/2012 House—Committee Report recommending resolution be adopted by Committee on Veterans, Military and Homeland Security—HJ 1794
 02/16/2012 House—Committee of the Whole - Be adopted—HJ 1859
 02/17/2012 House—Final Action - Adopted; Yea: 118 Nay: 0—HJ 1868
 02/20/2012 Senate—Received and Introduced—SJ 1540
 02/21/2012 Senate—Referred to Committee on Federal and State Affairs—SJ 1546
 06/01/2012 Senate—Died in Senate Committee
- H 5032** Concurrent Resolution by Corrections and Juvenile Justice
A Concurrent Resolution recognizing and promoting the Crisis Intervention Team program.
 02/01/2012 House—Introduced—HJ 1756
 02/02/2012 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1761
 02/10/2012 House—Hearing: Tuesday, February 14, 2012, 1:30 PM Room 144-S
 02/15/2012 House—Committee Report recommending resolution be adopted by Committee on Corrections and Juvenile Justice—HJ 1852
 02/20/2012 House—Committee of the Whole - Be adopted as amended—HJ 1880
 02/21/2012 House—Final Action - Adopted as amended; Yea: 123 Nay: 0—HJ 1891
 02/21/2012 Senate—Received and Introduced—SJ 1547

02/22/2012 Senate—Referred to Committee on Judiciary—SJ 1569
 03/07/2012 Senate—Hearing: Wednesday, March 07, 2012, 9:30 AM Room 548-S
 03/12/2012 Senate—Committee Report recommending resolution be adopted by
 Committee on Judiciary—SJ 1654
 03/14/2012 Senate—Committee of the Whole - Be adopted—SJ 1688
 03/15/2012 Senate—Final Action - Adopted; Yea: 40 Nay: 0—SJ 1697
 04/02/2012 House—Enrolled and presented to Secretary of State on Monday, April
 02, 2012—HJ 2363

H 5033 Concurrent Resolution by Representatives O'Neal, Davis
Adjournment of legislature for a time during the 2012 session.

02/23/2012 House—Introduced—HJ 1926
 02/23/2012 House—Adopted without roll call—HJ 1926
 02/23/2012 Senate—Received and Introduced—SJ 1595
 02/23/2012 Senate—Adopted without roll call—SJ 1595
 03/01/2012 House—Enrolled and presented to Secretary of State on Thursday,
 March 01, 2012

H 5034 Concurrent Resolution by Representatives O'Neal, Davis
Adjournment for a time during the 2012 legislature.

03/30/2012 House—Introduced—HJ 2314
 03/30/2012 House—Adopted without roll call—HJ 2314
 03/30/2012 Senate—Received and Introduced—SJ 2161
 03/30/2012 Senate—Adopted without roll call—SJ 2161
 04/30/2012 House—Enrolled and presented to Secretary of State on Monday, April
 30, 2012—HJ 2382

TITLE AND HISTORY OF HOUSE RESOLUTIONS

- H 6001** Resolution by Representatives O'Neal, Davis
Organization of the House of Representatives, 2012
 01/09/2012 House—Introduced—HJ 1672
 01/09/2012 House—Adopted without roll call—HJ 1672
 01/18/2012 House—Enrolled on Wednesday, January 18, 2012—HJ 1699
- H 6002** Resolution by Representatives O'Neal, Davis
Assignment of seats in the House of Representatives, 2012 session.
 01/09/2012 House—Introduced—HJ 1673
 01/09/2012 House—Adopted without roll call—HJ 1673
 01/18/2012 House—Enrolled on Wednesday, January 18, 2012—HJ 1699
- H 6003** Resolution by Representatives O'Neal, Arpke, Aurand, Brunk, Garber, Goodman,
 Gregory, Hedke, Huebert, Kiegerl, Kinzer, O'Hara, Rhoades, Scapa
Designating school choice week in Kansas.
 01/25/2012 House—Introduced—HJ 1719
 01/26/2012 House—Referred to Committee on Education Budget—HJ 1725
 06/01/2012 House—Died in Committee
- H 6004** Resolution by Representative Loganbill
Bethel College; recognizing its 125th anniversary of its founding.
 01/25/2012 House—Introduced—HJ 1721
 02/15/2012 House—Adopted without roll call—HJ 1847
 02/20/2012 House—Enrolled on Monday, February 20, 2012—HJ 1884
- H 6005** Resolution by Agriculture and Natural Resources
A resolution recognizing 125 years of dedicate forestry services.
 01/30/2012 House—Introduced—HJ 1734
 02/29/2012 House—Adopted without roll call—HJ 1972
 03/05/2012 House—Enrolled on Monday, March 05, 2012—HJ 1987
- H 6006** Resolution by Representatives O'Neal, Alford, Arpke, Aurand, Ballard, B. Bethell,
 Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk,
 Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton,
 Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn,
 Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico,
 Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode,
 Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill,
 Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson,
 Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether,
 Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller,
 McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien,
 O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff,
 Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa,
 Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan,
 Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey,

Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe
Moore, Worley

Memorials; Rocky Fund.

01/31/2012 House—Introduced—HJ 1738

02/06/2012 House—Adopted without roll call—HJ 1784

02/10/2012 House—Enrolled on Friday, February 10, 2012—HJ 1827

- H 6007** Resolution by Representatives O'Neal, Davis
Assignment of seats in the House of Representatives, 2012 session.
02/02/2012 House—Introduced—HJ 1760
02/02/2012 House—Adopted without roll call—HJ 1760
02/06/2012 House—Enrolled on Monday, February 06, 2012—HJ 1787
- H 6008** Resolution by Representative McCray-Miller
A RESOLUTION urging the use of the Kansas Communities That Care survey.
02/03/2012 House—Introduced—HJ 1773
02/06/2012 House—Referred to Committee on Education—HJ 1776
06/01/2012 House—Died in Committee
- H 6009** Resolution by Representatives O'Brien, Arpke, Calloway, Garber, Goodman,
Gregory, Grosserode, M. Holmes, Huebert, Kelley, Knox, Mast, Meigs,
O'Hara, Scapa
Urging Congress to adopt the parental rights amendment.
02/07/2012 House—Introduced—HJ 1791
02/08/2012 House—Referred to Committee on Children and Families—HJ 1798
02/17/2012 House—Hearing: Tuesday, February 21, 2012, 9:00 AM Room 142-S
06/01/2012 House—Died in Committee
- H 6010** Resolution by Representative Trimmer
**Exemption from child labor laws for people under the age of 16 who perform
farm related work.**
02/08/2012 House—Introduced—HJ 1799
02/09/2012 House—Referred to Committee on Agriculture and Natural Resources
—HJ 1807
06/01/2012 House—Died in Committee
- H 6011** Resolution by Representatives Phelps, Billinger, Cassidy, Collins, Denning, S.
Gatewood, McLeland, Schwab, Weber
**Congratulating and commending Fort Hays State University for being named
by U.S.News and World Report to the top tier of online education
universities.**
02/14/2012 House—Introduced—HJ 1835
02/14/2012 House—Adopted without roll call—HJ 1836
02/16/2012 House—Enrolled on Thursday, February 16, 2012—HJ 1862
- H 6012** Resolution by Representative McCray-Miller
Student athlete's bill of rights; special committee to study issue.

02/14/2012 House—Introduced—HJ 1837
 02/15/2012 House—Referred to Committee on Education—HJ 1847
 06/01/2012 House—Died in Committee

- H 6013** Resolution by Representatives Wetta, Moxley, Dillmore, Finney, Flaharty, Lane, Meier, O'Neal, Pottorff
Kansan-Turkish Friendship Network.
 02/21/2012 House—Introduced—HJ 1894
 03/07/2012 House—Referred to Committee on Federal and State Affairs—HJ 1995
 06/01/2012 House—Died in Committee
- H 6014** Resolution by Representatives Meier, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slatery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley
Designating the Honor and Remember Flag.
 02/23/2012 House—Introduced—HJ 1947
 03/08/2012 House—Adopted without roll call—HJ 2004
 03/13/2012 House—Enrolled on Tuesday, March 13, 2012—HJ 2075
- H 6015** Resolution by Representative Hayzlett
Commemorating the 75th anniversary of the wildlife and sport fish restoration program.
 03/02/2012 House—Introduced—HJ 1981
 03/13/2012 House—Adopted without roll call—HJ 2036
 03/19/2012 House—Enrolled on Monday, March 19, 2012—HJ 2183
- H 6016** Resolution by Representatives Wetta, Moxley, Dillmore, Finney, Flaharty, Lane, Meier, O'Neal, Pottorff
Kansan-Turkish Friendship Network.
 03/06/2012 House—Introduced—HJ 1991
 03/09/2012 House—Referred to Committee on Federal and State Affairs—HJ 2010
 06/01/2012 House—Died in Committee

- H 6017** Resolution by Representatives Moxley, Bowers, Brookens, Johnson, Swanson
**Congratulating and commending the United States Congress for establishing
the Dwight D. Eisenhower Memorial.**
03/09/2012 House—Introduced—HJ 2010
06/01/2012 House—Died on Calendar
- H 6018** Resolution by Energy and Utilities
Opposing United Nations Agenda 21.
03/09/2012 House—Introduced—HJ 2027
03/12/2012 House—Referred to Committee on Energy and Utilities—HJ 2029
03/13/2012 House—Hearing: Friday, March 16, 2012, 9:00 AM Room 785 Docking
03/30/2012 House—Hearing: Wednesday, April 25, 2012, 9:00 AM Room 785
Docking
06/01/2012 House—Died in Committee
- H 6019** Resolution by Representatives Tyson, Prescott, Alford, Arpke, Aurand, Ballard, B.
Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman,
Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins,
Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett,
Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S.
Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory,
Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand,
Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert,
Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether,
Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller,
McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara,
O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips,
Pottorff, Powell, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa,
Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan,
Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Vickrey, Victors,
Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore,
Worley
**Congratulating and commending the Kansas State Firefighter's Association on
their 125th anniversary.**
03/16/2012 House—Introduced—HJ 2105
03/16/2012 House—Adopted without roll call—HJ 2105
03/27/2012 House—Enrolled on Tuesday, March 27, 2012—HJ 2287
- H 6020** Resolution by Representatives Gregory, Alford, Arpke, Aurand, Ballard, B. Bethell,
Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk,
Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton,
Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn,
Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico,
Gonzalez, Goodman, Gordon, Grange, Grant, Grosserode, Hayzlett,
Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman,
Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley,
Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane,
LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs,

Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Commemorating the Kansas Angels at Sunset Centennial.

03/20/2012 House—Introduced—HJ 2214

03/30/2012 House—Adopted without roll call—HJ 2317

04/05/2012 House—Enrolled on Thursday, April 05, 2012—HJ 2363

- H 6021** Resolution by Representative O'Hara
Opposing the 2012 National Defense Authorization Act which allows arrest, detention and rendition of American citizens without trial.
 03/20/2012 House—Introduced—HJ 2215
 03/21/2012 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 2219
 03/30/2012 House—Hearing: Wednesday, April 25, 2012, 1:00 PM Room 152-S
 04/25/2012 House—Hearing: Wednesday, April 25, 2012, 1:00 PM Room Room 152-S
 06/01/2012 House—Died in Committee
- H 6022** Resolution by Representatives Crum, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley
Designating March 27, 2012 as American Diabetes Association Alert Day.
 03/26/2012 House—Introduced—HJ 2277
 03/27/2012 House—Adopted without roll call—HJ 2281
 03/29/2012 House—Enrolled on Thursday, March 29, 2012—HJ 2312
- H 6023** Resolution by Representative Gordon
Encouraging participation in National Public Health Week.
 03/28/2012 House—Introduced—HJ 2293
 03/29/2012 House—Adopted without roll call—HJ 2307

04/05/2012 House—Enrolled on Thursday, April 05, 2012—HJ 2363

- H 6024** Resolution by Representatives O'Neal, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Designating every Sunday as "Cooking With Kids Day."

03/28/2012 House—Introduced—HJ 2294

03/29/2012 House—Adopted without roll call—HJ 2307

04/05/2012 House—Enrolled on Thursday, April 05, 2012—HJ 2363

- H 6025** Resolution by Representative Goico
Supporting effort to build the Operation Freedom War Memorial in Wichita
 03/28/2012 House—Introduced—HJ 2300
 03/29/2012 House—Referred to Committee on Veterans, Military and Homeland Security—HJ 2307
 04/25/2012 House—Hearing: Wednesday, April 25, 2012, 1:00 PM Room Room 152-S
 04/25/2012 House—Hearing: Thursday, April 26, 2012, 1:00 PM Room Room 152-S
 04/26/2012 House—Committee Report recommending resolution be adopted by Committee on Veterans, Military and Homeland Security—HJ 2370
 05/18/2012 House—Committee of the Whole - Be adopted—HJ 2903
 05/19/2012 House—Final Action - Adopted; Yea: 110 Nay: 0—HJ 2921
 06/14/2012 House—Enrolled on Sunday, May 20, 2012

- H 6026** Resolution by Federal and State Affairs
A resolution urging the Kansas department of health and environment to study tobacco harm reduction.
 03/28/2012 House—Introduced—HJ 2304
 03/29/2012 House—Referred to Committee on Federal and State Affairs—HJ 2307
 03/30/2012 House—Hearing: Thursday, April 26, 2012, 1:30 PM Room 346-S
 05/04/2012 House—Committee Report recommending resolution be adopted as amended by Committee on Federal and State Affairs—HJ 2452
 06/01/2012 House—Died on Calendar

- H 6027** Resolution by Representatives Mah, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."

03/30/2012 House—Introduced—HJ 2315

03/30/2012 House—Adopted without roll call—HJ 2316

04/05/2012 House—Enrolled on Thursday, April 05, 2012—HJ 2363

- H 6028** Resolution by Representatives S. Gatewood, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Honoring Bob Wootton.

04/26/2012 House—Introduced—HJ 2366

04/26/2012 House—Adopted without roll call—HJ 2367

05/01/2012 House—Enrolled on Tuesday, May 01, 2012—HJ 2389

- H 6029** Resolution by Representatives Finney, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk,

Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Memorials; Jonathan Wells.

04/26/2012 House—Introduced—HJ 2368

04/30/2012 House—Adopted without roll call—HJ 2379

05/02/2012 House—Enrolled on Wednesday, May 02, 2012—HJ 2400

- H 6030** Resolution by Representatives O'Neal, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

04/27/2012 House—Introduced—HJ 2372

04/27/2012 House—Adopted without roll call—HJ 2372

05/01/2012 House—Enrolled on Tuesday, May 01, 2012—HJ 2389

- H 6031** Resolution by Representatives Meier, Alford, Arpke, Aurand, Ballard, B. Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode,

Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Phillips, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Recognizing April as the month of the military child.

04/27/2012 House—Introduced—HJ 2373

04/27/2012 House—Adopted without roll call—HJ 2374

04/30/2012 House—Enrolled on Monday, April 30, 2012—HJ 2382

H 6032 Resolution by Federal and State Affairs

Resolution opposing and exposing the radical nature of United Nations Agenda 21.

05/02/2012 House—Introduced—HJ 2393

05/03/2012 House—Referred to Committee on Federal and State Affairs—HJ 2402

05/03/2012 House—Hearing: Monday, May 07, 2012, 1:30 PM Room 346-S

05/08/2012 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 2489

05/10/2012 House—Committee of the Whole - Motion to refer to committee failed Committee on Energy and Utilities—HJ 2562

05/10/2012 House—Committee of the Whole - Be adopted—HJ 2562

05/11/2012 House—Final Action - Adopted; Yea: 76 Nay: 41—HJ 2567

05/21/2012 House—Enrolled on Monday, May 21, 2012—HJ 3220

H 6033 Resolution by Representatives Phillips, Carlin, Alford, Arpke, Aurand, Ballard, B.

Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleeb, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mah, Mast, McCray-Miller, McLeland, Meier, Meigs, Mesa, Montgomery, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore, Worley

Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

05/08/2012 House—Introduced—HJ 2490
05/09/2012 House—Adopted without roll call—HJ 2492
05/11/2012 House—Enrolled on Friday, May 11, 2012—HJ 2749

H 6034 Resolution by Representatives Davis, O'Neal
A Resolution honoring First Assistant Revisor James Arthur Wilson III.
06/01/2012 House—Introduced
06/01/2012 House—Adopted without roll call
06/04/2012 House—Enrolled on Monday, June 04, 2012

EXECUTIVE REORGANIZATION ORDERS

- ERO 41** Executive Reorganization Order No. 41 by Governor Brownback
Consolidating the financing arm of Medicaid in the Kansas Department of Health and Environment Division of Health Care Finance; renaming the former Department on Aging as the Department for Aging and Disability Services and consolidating all disability waiver and mental health services from the Department of Social and Rehabilitation Services into the new agency; and renaming the Department of Social and Rehabilitation Services as the Department for Children and Families.
- 02/07/2012 House—Received
02/07/2012 House—Introduced—HJ 1776
02/07/2012 House—Referred to Committee on Government Efficiency—HJ 1790
06/01/2012 House—Time limit for action expired; ERO becomes effective July 1, 2012

HISTORY OF HOUSE PETITIONS

- HP 2001** A Petition opposing the movement called “uncorkkansas” and any kind of legislation to allow sales of alcoholic beverages in convenience stores or market, signed by Pastor Richard Haley and 28 other members of the Riverside Baptist Church in Hutchinson, Kansas. Filed May 10, 2012 by Representative Jan Pauls.

FINAL
HOUSE CALENDAR
No. 76

JANUARY 9, 2012 THROUGH JUNE 1, 2012

ACTION ON HOUSE BILLS CARRIED OVER FROM 2011 SESSION

2002 Died, Comm	2062 Died, Comm	2111 Died, Comm
S Sub Sub	2063 Died, Comm	2112 Died, Comm
2004 Signed, Ef Dt. 7/1/12	2064 Died, Comm	2113 Died, Comm
2005 Died, Comm	2065 Died, Comm	2114 Died, Comm
2007 Died, Comm	2066 Died, Sen Comm	2115 Died, Comm
S Sub	2068 Died, Comm	2116 Died, Comm
2009 Died, Comm	S Sub Sub	S Sub
2011 Died, Comm	2069 Died, Sen Cal	2117 Signed, Ef Dt. 7/1/12
2012 Died, Comm	2070 Died, Sen Comm	2120 Died, Sen Comm
S Sub	2072 Died, Comm	2121 Died, Sen Comm
2016 Died, Comm	2073 Died, Comm	2123 Died, Comm
2017 Died, Sen Comm	S Sub	2126 Died, Comm
2018 Died, Sen Comm	2077 Signed, Ef Dt. 7/1/12	2127 Died, Comm
2019 Died, Comm	2079 Died, Comm	2128 Died, Sen Comm
2021 Died, Comm	2081 Died, Comm	2129 Died, Comm
2022 Died, Comm	2084 Died, Comm	2130 Died, Sen Comm
2024 Died, Comm	2085 Died, Comm	2131 Died, Comm
2025 Died, Comm	2086 Died, Comm	2136 Died, Comm
2026 Died, Comm	S Sub	2137 Died, Comm
2031 Died, Sen Comm	2087 Mat Chgd;Died, Comm	2138 Died, Comm
2032 Died, Comm	2088 Died, Sen Comm	2140 Died, Sen Comm
2034 Died, Sen Comm	2089 Died, Comm	2141 Died, Sen Comm
2036 Died, Comm	2090 Died, Comm	2142 Died, Comm
2037 Died, Comm	2091 Strick, Rule 2307	2143 Died, Comm
2039 Died, Comm	2092 Died, Comm	2144 Died, Comm
2040 Died, Comm	2094 Died, Comm	2145 Died, Comm
2041 Died, Comm	2095 Died, Comm	2146 Died, Comm
2042 Died, Sen Comm	2096 Died, Comm	2148 Died, Comm
2043 Died, Comm	2097 Died, Comm	S Sub
2045 Died, Comm	2098 Died, Comm	2149 Mat Chgd;Died, Comm
2046 Died, Comm	2099 Died, Comm	2150 Died, Comm
2047 Died, Comm	2100 Died, Comm	2152 Died, Comm
2048 Died, Comm	2101 Died, Sen Comm	2153 Died, Comm
2050 Died, Comm	2102 Died, Comm	2154 Died, Comm
2051 Died, Comm	2103 Died, Comm	2155 Died, Comm
2052 Died, Comm	Sub	2156 Died, Comm
2053 Died, Comm	2106 Died, Sen Comm	S Sub
Sub	2107 Died, Sen Comm	2157 Signed, Ef Dt. 7/1/12
2055 Signed, Ef Dt. 7/1/12	2108 Died, Comm	S Sub
2059 Died, Comm	2109 Died, Comm	2158 Died, Cal; Con/Non
2061 Died, Comm	2110 Died, Comm	Sub

2159 Died, Sen Comm	2216 Died, Comm	2263 Died, Comm
2160 Died, Comm	2217 Died, Comm	2264 Died, Comm
S Sub Sub	2219 Died, Comm	2265 Died, Comm
2161 Died, Sen Cal	Sub	2266 Died, Comm
2162 Died, Comm	2220 Strick, Rule 2307	S Sub Sub
2163 Died, Comm	Sub	2267 Signed, Ef Dt. 7/1/12
2164 Died, Comm	2221 Died, Sen Comm	2268 Died, Comm
2165 Died, Comm	2222 Died, Comm	2269 Died, Sen Comm
Sub	2223 Died, Comm	2270 Died, Comm
2166 Signed, Ef Dt. 7/1/12	2224 Strick, Rule 1507	2272 Died, Comm
2167 Died, Comm	2225 Died, Comm	2273 Signed, Ef Dt. 7/1/12
2168 Died, Comm	2226 Died, Comm	2274 Died, Comm
2169 Died, Sen Comm	2228 Died, Comm	2275 Died, Comm
2170 Died, Comm	Sub	2276 Died, Comm
2171 Died, Comm	2229 Died, Sen Comm	2277 Died, Comm
2173 Strick, Rule 2307	2230 Died, Sen Comm	2278 Died, Comm
2174 Died, Comm	2231 Died, Sen Comm	2279 Died, Comm
2175 Signed, Ef Dt. 6/7/12	Sub	2280 Died, Comm
2176 Died, Comm	2232 Strick, Rule 1507	2281 Died, Comm
2177 Died, Comm	2233 Died, Comm	2283 Died, Comm
Sub	2234 Died, Comm	2284 Died, Comm
2178 Signed, Ef Dt. 7/1/12	2235 Died, Comm	2285 Died, Comm
2179 Died, Comm	2236 Died, Comm	2286 Died, Comm
2180 Died, Comm	2237 Died, Comm	2287 Died, Comm
2181 Died, Comm	2238 Died, Comm	2288 Died, Comm
2183 Died, Comm	2239 Died, Comm	2289 Died, Comm
2185 Died, Comm	S Sub	2290 Died, Comm
2186 Died, Comm	2241 Mat Chgd;Died, Comm	2291 Died, Comm
2187 Died, Comm	Sub	2292 Died, Comm
Sub	2242 Died, Cal	2293 Died, Comm
2188 Died, Sen Comm	2243 Died, Comm	2294 Died, Sen Comm
2189 Died, Comm	2244 Died, Comm	Sub
2190 Died, Comm	2245 Died, Comm	2295 Died, Sen Comm
2196 Died, Sen Comm	2246 Died, Comm	Sub
2198 Died, Comm	2247 Died, Comm	2296 Died, Sen Comm
2199 Died, Comm	2248 Died, Comm	2297 Died, Comm
S Sub	S Sub S Sub	2298 Died, Sen Comm
2200 Mat Chgd;Died, Comm	2249 Signed, Ef Dt. 7/1/12	2299 Died, Comm
2202 Died, Comm	2250 Died, Comm	2300 Died, Comm
2203 Died, Comm	S Sub	2301 Died, Comm
2204 Died, Comm	2251 Mat Chgd;Died, Comm	2302 Died, Comm
2206 Died, Comm	2252 Died, Comm	2303 Died, Comm
Sub	2253 Died, Sen Comm	2304 Died, Comm
2207 Signed, Ef Dt. 7/1/12	2254 Died, Comm	2305 Died, Comm
2208 Died, Comm	2255 Died, Comm	2306 Died, Comm
2209 Died, Comm	2256 Died, Comm	2307 Died, Comm
2210 Died, Comm	2257 Died, Comm	2308 Died, Comm
2211 Died, Comm	2259 Died, Comm	2309 Died, Comm
2212 Killed; Final Action	2260 Died, Comm	2310 Died, Comm
2213 Died, Comm	2261 Died, Comm	2311 Died, Comm
2214 Died, Comm	2262 Died, Comm	
2215 Died, Comm		

S Sub	2347 Died, Comm	2381 Died, Cal
2313 Signed, Ef Dt. 7/1/12	2348 Died, Comm	S Sub
2314 Died, Sen Comm	2349 Died, Comm	2382 Signed, Ef Dt. 7/1/12
2315 Died, Comm	2350 Died, Comm	S Sub
2316 Died, Comm	2351 Died, Comm	2383 Died, Sen Comm
2317 Strick, Rule 2307	2352 Died, Comm	2384 Died, Comm
S Sub Sub	2353 Died, Sen Comm	2385 Died, Comm
2318 Signed, Ef Dt. 7/1/12	2354 Died, Comm	2386 Died, Sen Comm
2319 Died, Comm	2355 Died, Comm	2387 Died, Comm
2320 Died, Comm	2356 Died, Comm	2388 Died, Comm
2322 Strick, Rule 2307	S Sub	2389 Died, Comm
2323 Died, Comm	2357 Died, Sen Comm	S Sub
2324 Signed, Ef Dt. 7/1/12	2358 Died, Comm	2390 Signed, Ef Dt. 6/7/12
2325 Died, Comm	2359 Died, Comm	2391 Died, Comm
2326 Died, Comm	2360 Strick, Rule 2307	2393 Strick, Rule 2307
2327 Died, Comm	2361 Died, Comm	2394 Died, Comm
2328 Died, Comm	2362 Died, Comm	2395 Died, Comm
S Sub	2363 Died, Comm	S Sub
2329 Died, Sen Cal	2364 Died, Comm	2396 Died, Sen Cal
2330 Died, Comm	2365 Died, Comm	2397 Died, Comm
2331 Strick, Rule 2307	2366 Died, Comm	2398 Died, Comm
2332 Died, Comm	2367 Died, Comm	2399 Died, Comm
S Sub Sub	2368 Strick, Rule 2307	2400 Died, Comm
2333 Signed, Ef Dt. 7/1/12	2369 Died, Comm	2401 Died, Comm
2334 Died, Comm	2370 Died, Comm	2402 Died, Comm
2335 Signed, Ef Dt. 7/1/12	S Sub	2403 Died, Cal
2337 Strick, Rule 2307	2371 Killed; Mtn Con Fail	2404 Died, Comm
2338 Died, Comm	2372 Died, Comm	2405 Died, Comm
Sub	2373 Died, Cal	2406 Died, Comm
2340 Died, Sen Comm	2374 Died, Sen Comm	2407 Died, Comm
2341 Died, Comm 2342	2375 Died, Comm	2408 Died, Comm
Died, Comm	2376 Died, Comm	2409 Died, Comm
2343 Died, Comm	2377 Died, Comm	2410 Died, Comm
2344 Died, Comm	2378 Died, Comm	2411 Died, Comm
2345 Died, Comm	2379 Died, Comm	
2346 Died, Comm	2380 Died, Comm	

NUMERICAL SCHEDULE OF HOUSE BILLS – 2012 SESSION

2412 Signed, Ef Dt. 4/5/12	2425 Died, Sen Comm	2435 Signed, Ef Dt. 7/1/12
2413 Signed, Ef Dt. 7/1/12	2426 Died, Comm	2436 Died, Sen Comm
2414 Signed, Ef Dt. 7/1/12	Sub	2437 Died, Sen Comm
2415 Died, Comm	2427 Signed, Ef Dt. 7/1/12	2438 Died, Comm
2416 Signed, Ef Dt. 7/1/12	2428 Signed, Ef Dt. 7/1/12	2439 Strick, Rule 1507
2417 Killed, Sen Fin Act	2429 Signed, Ef Dt. 7/1/12	2440 Died, Comm
2418 Died, Comm	2430 Died, Conf Comm	2441 Signed, Ef Dt. 7/1/12
2419 Died, Comm	Sub	2442 Died, Cal
2420 Signed, Ef Dt. 7/1/12	2431 Died, Sen Comm	2443 Died, Comm
2421 Died, Cal	2432 Died, Conf Comm	2444 Died, Sen Comm
2422 Died, Sen Comm	2433 Died, Comm	2445 Died, Comm
2423 Died, Comm	2434 Died, Comm	2446 Died, Comm
2424 Died, Sen Comm		2447 Died, Comm

2448 Died, Comm	2494 Signed, Ef Dt. 7/1/12	2545 Died, Comm
2449 Died, Comm	2495 Died, Comm	2546 Signed, Ef Dt. 7/1/12
2450 Died, Comm	2496 Signed, Ef Dt. 7/1/12	2547 Died, Comm
2451 Signed, Ef Dt. 7/1/12	2497 Died, Comm	2548 Died, Sen Comm
2452 Died, Comm	2498 Died, Comm	2549 Died, Comm
2453 Signed, Ef Dt. 7/1/12	2499 Died, Sen Comm	2550 Died, Sen Comm
S Sub	2500 Died, Comm	2551 Strick, Rule 1507
2454 Signed, Ef Dt. 7/1/12	2501 Died, Comm	2552 Died, Comm
Sub	2502 Signed, Ef Dt. 7/1/12	2553 Died, Comm
2455 Signed, Ef Dt. 7/1/12	2503 Signed, Ef Dt. 7/1/12	2554 Died, Comm
2456 Died, Sen Comm	2504 Died, Comm	Sub
2457 Died, Comm	2505 Law, No Signature	2555 Died, Sen Comm
2458 Died, Sen Comm	2506 Strick, Rule 1507	2556 Died, Comm
2459 Signed, Ef Dt. 7/1/12	2507 Signed, Ef Dt. 7/1/12	2557 Signed, Ef Dt. 7/1/12
2460 Signed, Ef Dt. 7/1/12	2508 Died, Comm	2558 Died, Sen Comm
2461 Signed, Ef Dt. 7/1/12	2509 Signed, Ef Dt. 7/1/12	2559 Died, Comm
2462 Died, Comm	2510 Died, Sen Cal	2560 Died, Cal
2463 Died, Comm	2511 Died, Comm	2561 Died, Sen Cal
2464 Signed, Ef Dt. 7/1/12	2512 Died, Comm	2562 Signed, Ef Dt. 5/24/12
2465 Signed, Ef Dt. 7/1/12	2513 Died, Comm	2563 Signed, Ef Dt. 7/1/12
2466 Died, Comm	2514 Died, Comm	2564 Died, Comm
2467 Died, Comm	2515 Mat Chgd;Died, Comm	2565 Died, Comm
2468 Signed, Ef Dt. 7/1/12	2516 Signed, Ef Dt. 7/1/12	2566 Died, Comm
2469 Signed, Ef Dt. 7/1/12	2517 Signed, Ef Dt. 7/1/12	2567 Died, Comm
Sub	2518 Died, Comm	2568 Signed, Ef Dt. 7/1/12
2470 Signed, Ef Dt. 4/5/12	2519 Strick, Rule 1507	2569 Signed, Ef Dt. 7/1/12
2471 Signed, Ef Dt. 5/24/12	2520 Died, Sen Comm	2570 Died, Cal
2472 Signed, Ef Dt. 7/1/12	2521 Died, Sen Comm	2571 Died, Comm
2473 Signed, Ef Dt. 7/1/12	2522 Died, Comm	2572 Died, Conf Comm
2474 Died, Comm	2523 Died, Cal	2573 Died, Comm
2475 Died, Comm	2524 Died, Comm	2574 Died, Comm
2476 Died, Comm	2525 Signed, Ef Dt. 7/1/12	2575 Died, Cal
Sub	S Sub	2576 Died, Comm
2477 Signed, Ef Dt. 7/1/12	2526 Signed, Ef Dt. 7/1/12	2577 Died, Comm
2478 Died, Comm	2527 Died, Comm	2578 Died, Comm
2479 Died, Comm	2528 Died, Comm	2579 Died, Comm
2480 Died, Comm	2529 Died, Comm	2580 Died, Comm
2481 Died, Sen Comm	2530 Strick, Rule 1507	2581 Died, Comm
2482 Died, Comm	2531 Died, Sen Comm	2582 Died, Comm
2483 Died, Comm	2532 Died, Comm	2583 Died, Comm
2484 Signed, Ef Dt. 7/1/12	2533 Died, Sen Comm	2584 Died, Comm
2485 Died, Conf Comm	2534 Signed, Ef Dt. 7/1/12	2585 Died, Comm
2486 Signed, Ef Dt. 7/1/12	2535 Signed, Ef Dt. 7/1/12	2586 Died, Comm
2487 Died, Comm	2536 Died, Comm	2587 Died, Comm
2488 Died, Comm	2537 Died, Sen Comm	2588 Signed, Ef Dt. 7/1/12
2489 Signed, Ef Dt. 7/1/12	2538 Died, Comm	2589 Died, Comm
2490 Signed, Ef Dt. 7/1/12	2539 Died, Comm	2590 Died, Comm
2491 Signed, Ef Dt. 7/1/12	2540 Died, Comm	2591 Died, Cal
2492 Died, Comm	2541 Died, Comm	2592 Died, Comm
2493 Died, Comm	2542 Died, Comm	2593 Signed, Ef Dt. 4/12/12
	2543 Died, Comm	2594 Died, Comm
	2544 Died, Comm	

2595 Died, Comm	2642 Died, Comm	2690 Died, Comm
S Sub	2643 Died, Comm	2691 Died, Comm
2596 Signed, Ef Dt. 7/1/12	2644 Died, Comm	2692 Died, Comm
S Sub	2645 Died, Comm	2693 Died, Comm
2597 Signed, Ef Dt. 6/7/12	2646 Died, Sen Cal	2694 Died, Sen Comm
2598 Died, Cal	2647 Died, Sen Cal	2695 Died, Comm
2599 Signed, Ef Dt. 7/1/12	2648 Died, Comm	2696 Died, Comm
2600 Signed, Ef Dt. 7/1/12	2649 Died, Conf Comm	2697 Signed, Ef Dt. 7/1/12
2601 Died, Comm	S Sub	
2602 Died, Comm	2650 Died, Sen Cal	2698 Died, Comm
2603 Died, Comm	2651 Died, Comm	2699 Died, Comm
2604 Signed, Ef Dt. 7/1/12	2652 Died, Comm	2700 Died, Comm
2605 Signed, Ef Dt. 7/1/12	2653 Died, Comm	2701 Died, Comm
2606 Died, Sen Comm	2654 Died, Comm	2702 Died, Comm
2607 Died, Cal	2655 Signed, Ef Dt. 7/1/12	2703 Signed, Ef Dt. 7/1/12
2608 Died, Comm	2656 Died, Comm	2704 Signed, Ef Dt. 7/1/12
2609 Died, Sen Comm	2657 Died, Comm	2705 Died, Sen Comm
2610 Died, Cal	2658 Died, Comm	2706 Signed, Ef Dt. 7/1/12
2611 Died, Comm	Sub	2707 Died, Comm
2612 Signed, Ef Dt. 7/1/12	2659 Signed, Ef Dt. 7/1/12	2708 Died, Sen Comm
2613 Signed, Ef Dt. 7/1/12	2660 Signed, Ef Dt. 7/1/12	Sub
2614 Signed, Ef Dt. 7/1/12	2661 Died, Comm	2709 Died, Sen Comm
2615 Died, Comm	2662 Died, Comm	2710 Died, Comm
2616 Died, Comm	2663 Died, Comm	2711 Died, Comm
2617 Died, Comm	2664 Died, Comm	2712 Died, Comm
2618 Signed, Ef Dt. 7/1/12	2665 Died, Comm	2713 Died, Comm
S Sub	2666 Signed, Ef Dt. 7/1/12	2714 Died, Comm
2619 Killed, Mtn Con Fail	2667 Died, Comm	2715 Died, Sen Comm
2620 Died, Comm	2668 Signed, Ef Dt. 7/1/12	2716 Died, Comm
2621 Signed, Ef Dt. 7/1/12	2669 Signed, Ef Dt. 7/1/12	2717 Died, Comm
2622 Died, Comm	2670 Died, Sen Comm	2718 Died, Cal
2623 Died, Comm	2671 Died, Comm	2719 Died, Comm
2624 Vetoed	2672 Signed, Ef Dt. 7/1/12	2720 Died, Comm
2625 Died, Comm	2673 Died, Sen Cal	2721 Died, Comm
2626 Signed, Ef Dt. 7/1/12	2674 Signed, Ef Dt. 7/1/12	2722 Died, Comm
2627 Died, Sen Cal	2675 Signed, Ef Dt. 7/1/12	2723 Died, Comm
2628 Died, Comm	2676 Died, Sen Comm	2724 Died, Comm
2629 Died, Sen Comm	2677 Signed, Ef Dt. 7/1/12	2725 Died, Comm
2630 Died, Comm	2678 Died, Comm	2726 Died, Comm
2631 Signed, Ef Dt. 5/17/12	2679 Died, Comm	2727 Died, Comm
2632 Died, Comm	2680 Died, Comm	2728 Died, Comm
2633 Died, Comm	2681 Died, Comm	2729 Signed, Ef Dt. 7/1/12
Sub	2682 Died, Sen Comm	S Sub
2634 Died, Sen Comm	2683 Signed, Ef Dt. 7/1/12	2730 Signed, Ef Dt. 7/1/12
2635 Died, Comm	2684 Signed, Ef Dt. 7/1/12	2731 Died, Comm
2636 Died, Comm	2685 Signed, Ef Dt. 7/1/12	2732 Died, Comm
2637 Died, Sen Cal	2686 Died, Comm	2733 Died, Comm
2638 Died, Sen Cal	2687 Signed, Ef Dt. 7/1/12	2734 Died, Comm
2639 Died, Comm	2688 Died, Comm	2735 Died, Comm
2640 Died, Comm	Sub	2736 Died, Comm
2641 Died, Comm	2689 Signed, Ef Dt. 5/31/12	2737 Signed, Ef Dt. 7/1/12
		2738 Died, Comm

2739 Died, Comm	2759 Died, Comm	2778 Died, Comm
2740 Died, Comm	2760 Died, Comm	2779 Died, Comm
2741 Died, Sen Comm	2761 Died, Sen Comm	2780 Died, Comm
2742 Died, Comm	2762 Died, Comm	2781 Died, Comm Sub
2743 Signed, Ef Dt. 7/1/12	2763 Died, Comm	2782 Died, Cal
2744 Died, Comm	2764 Died, Sen Comm	2783 Died, Comm
2745 Died, Sen Comm	2765 Died, Comm	2784 Died, Comm
2746 Died, Cal	2766 Died, Sen Comm	2785 Died, Comm
2747 Died, Comm	2767 Died, Cal	2786 Died, Cal
2748 Died, Comm	Sub	2787 Died, Comm
2749 Died, Sen Comm	2768 Died, Sen Comm	2788 Died, Comm
2750 Died, Comm	2769 Signed, Ef Dt. 4/12/12	2789 Died, Comm
2751 Died, Comm	2770 Died, Comm	2790 Died, Comm
2752 Died, Comm	2771 Died, Comm	2791 Died, Comm
2753 Died, Comm	2772 Died, Comm	2792 Signed, Ef Dt. 7/1/12
2754 Died, Comm	2773 Died, Sen Comm	2793 Died, Sen Comm
2755 Died, Sen Comm	2774 Died, Comm	2794 Died, Comm
2756 Died, Comm	2775 Died, Comm	2795 Died, Comm
2757 Signed, Ef Dt. 7/1/12	2776 Died, Comm	2796 Died, Comm
2758 Died, Sen Cal	2777 Signed, Ef Dt. 7/1/12	2797 Died, Comm

ACTION ON HOUSE CONCURRENT RESOLUTIONS CARRIED OVER FROM 2011 SESSION

5004 Died, Comm	5012 Died, Comm	5020 Died, Sen Comm
5005 Died, Comm	5013 Died, Comm	5022 Died, Sen Comm
5006 Killed, Final Action	5015 Died, Comm	5023 Died, Sen Comm
5007 Killed, Senate	5016 Enrolled	5025 Died, Comm
5008 Died, Comm	5017 Enrolled	5026 Died, Comm
5010 Died, Cal	5018 Died, Comm	5027 Died, Comm
5011 Died, Comm	5019 Died, Comm	

NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS – 2012 SESSION

5028 Enrolled	5030 Died, Comm	5032 Enrolled
5029 Died, Comm	5031 Died, Sen Comm	5033 Enrolled
		5034 Enrolled

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS - 2012

6001 Adopted, Enr	6011 Adopted, Enr	6022 Adopted, Enr
6002 Adopted, Enr	6012 Died, Comm	6023 Adopted, Enr
6003 Died, Comm	6013 Died, Comm	6024 Adopted, Enr
6004 Adopted, Enr	6014 Adopted, Enr	6025 Adopted, Enr
6005 Adopted, Enr	6015 Adopted, Enr	6026 Died, Cal
6006 Adopted, Enr	6016 Died, Comm	6027 Adopted, Enr
6007 Adopted, Enr	6017 Died, Cal	6028 Adopted, Enr
6008 Died, Comm	6018 Died, Comm	6029 Adopted, Enr
6009 Died, Comm	6019 Adopted, Enr	6030 Adopted, Enr
6010 Died, Comm	6020 Adopted, Enr	6031 Adopted, Enr
	6021 Died, Comm	6032 Adopted, Enr

6033 Adopted, Enr
6034 Adopted, Enr

HOUSE ACTION ON EXECUTIVE REORGANIZATION ORDERS 2012 SESSION

ERO 41 No action taken to disapprove by the House

ACTION ON SENATE BILLS CARRIED OVER FROM 2011 SESSION

H Sub	H Sub	134 CCR Adopted
1 P Am, Mat Chgd	62 P Am, Sen Con	135 Died, Comm
5 Died, Comm	Sub	Sub
H Sub	64 Died, Comm	138 Died, Comm
8 Died, Comm	69 Died, Comm	139 Died, Comm
11 CCR Adopted	Sub	H Sub
13 Died, Comm	71 Died Comm	142 P Am; Died Conf Comm
14 CCR Adopted	H Sub	H Sub H Sub
H Sub	74 P Am; Sen Con	145 P Am, Died Sen Cal
17 P Am, Mat Chgd	H Sub	H Sub Sub
H Sub	79 CCR Adopted	148 CCR Adopted
25 P Am, Mat Chgd	Sub	155 CCR Adopted
H Sub	81 Died, Comm	H Sub Sub
28 Died, Conf Comm	83 CCR Adopted	159 P Am, Sen Con
H Sub	90 Died, Comm	H Sub
34 Strick; House Rule 2307	Sub	160 CCR Adopted
H Sub	92 Died, Comm	H Sub H Sub
35 Died, Comm	100 Died, Comm	176 P Am, Killed Sen
H Sub Sub	H Sub	H Sub
39 Died, Conf Comm	102 P Am, Mat Chgd	177 P Am, Died Conf
H Sub	H Sub	182 Died, Comm
40 CCR Adopted	104 Died, Cal	H Sub
41 Died, Comm	108 Died, Comm	191 P Am, Sen Con
H Sub	H Sub	201 Died, Comm
45 Died, Comm	114 CCR Adopted	207 CCR Adopted
H Sub	116 Died, Comm	211 P Am, Sen Con
46 Died, Cal	H Sub	H Sub
51 Died, Comm	118 P Am, Sen Con	216 Died, Cal
52 Died, Comm	120 Died, Cal	223 Died, Comm
58 Died, Comm	126 Died, Comm	H Sub
H Sub	128 Died, Comm	225 Strick, Rule 1507
59 P Am, Mat Chgd	H Sub	Sub
H Sub	129 CCR Adopted	234 Died, Comm
60 CCR Adopted	133 Died, Comm	

ACTION ON SENATE BILLS – 2012 SESSION

249 Passed	258 P Am, Died Conf	262 CCR Adopted
250 CCR Adopted	H Sub	263 Passed
252 Passed	259 P Am, Died Conf	264 Passed
257 P Am, Died Conf	260 Strick, Rule 1507	265 Passed
	261 Died, Cal	266 Passed

267 Died, Comm	311 Died, Cal	390 Died, Cal
269 Died, Cal	H Sub	Sub
270 Passed	313 P Am, Mat Chgd	393 P Am, Mat Chgd
271 Died, Comm	314 CCR Adopted	394 P Am, Died Conf
272 P Am, S Con	H Sub	395 Died, Comm
273 P Am, S Con	315 CCR Adopted; Vetoed	Sub
274 Died, Cal	316 Passed	397 Passed
H Sub	320 P Am, Sen Con	400 Died, Comm
275 Died, Cal	322 Passed	403 Passed
276 Died, Comm	324 Died, Comm	404 Died, Comm
277 Died, Cal	H Sub	406 Passed
279 Died, Comm	325 Strick, Rule 1507	407 Died, Comm
280 Passed	326 Died, Comm	Sub
281 Died, Comm	Sub	412 Died, Comm
Sub	327 Died, Comm	413 P Am, Mat Chgd
282 Passed	330 Passed	415 Died, Comm
Sub	331 Died, Comm	H Sub
283 CCR Adopted	334 CCR Adopted	416 CCR Adptd; Killed Sen
H Sub	335 Died, Comm	417 Passed
287 CCR Adopted	H Sub	419 Died, Comm
288 Died, Cal	341 P Am, Died Conf	422 Passed
289 Passed	342 Died, Comm	424 P Am, Sen Con
290 Passed	H Sub	H Sub
291 P Am, Died Rule 4f	344 Killed, Fin Act	425 CCR Adopted
292 Died, Comm	345 Passed	427 Died, Comm
293 Died, Comm	348 Died, Comm	431 Died, Comm
H Sub	353 Passed	Sub
294 CCR Adopted	356 Passed	433 Died, Comm
297 Died, Comm	357 Died, Comm	H Sub
298 Passed	358 Died, Comm	434 P Am, Sen Con
299 Died, Cal	366 P Am, Sen Con	436 Died, Comm
300 CCR Adopted	367 CCR Adptd; Died Conf	438 Died, Cal
301 P Am, Sen Con	369 Died, Comm	447 Died, Comm
302 Died, Comm	371 Died, Comm	Sub
303 P Am, Sen Con	372 Died, Comm	449 Died, Comm
304 CCR Adopted	374 Passed	453 Died, Comm
305 Died, Comm	375 Died, Comm	Sub
306 CCR Adopted	379 Died, Cal	459 Died, Comm
Sub307 CCR Adopted	384 Passed	
310 P Am, Sen Con	386 Died, Comm	
H Sub	387 Passed	

**NUMERICAL SCHEDULE OF SENATE CONCURRENT
RESOLUTIONS - 2011**

1606 Died, Comm	1610 Adopted	1618 Adopted
1608 Died, Comm	1616 Adopted	1620 Adopted

LEGEND

Adptd	Adopted
CCR	Conference Committee Report
Cal	Calendar
Con	Concur
Comm Rp	Committee Report
Comm	Committee
Con/Non	Motions to Concur or Nonconcur
Conf Com	Conference Committee
E Dt	Effective Date
Enr	Enrolled
Fin Act	Final Action
Gen Orders	General Orders
H	House
Mat Chgd	Ruled Materially Changed by originating chamber
Mtn Con	Motion to Concur
P Am	Passed as amended
Strick	Stricken
Sub	Substitute
S or Sen	Senate

**SUMMARY OF ACTIONS ON HOUSE BILLS
AND CONCURRENT RESOLUTIONS**

House bills introduced in the 2012 session.....	386
House bills carried over from 2011 session.....	340
House bills passed both houses and presented Governor	112
House bills signed by Governor.....	110
House bills signed with line item vetoes.....	0
House bills vetoed by Governor (HB 2624).....	1
House bills returned unsigned (HB 2505)	1
House bills killed in House.....	19
House bills that died on House Calendar.....	19
House bills that died in House committees.....	475
House bills killed in Senate.....	2
House bills that died on Senate Calendar.....	14
House bills that died in Senate committees.....	80
House bills that died in conference.....	5
Subtotal	614
Total.....	726
 House concurrent resolutions introduced in 2012 session.....	7
House concurrent resolutions carried over from 2011 session.....	20
House concurrent resolutions adopted by both houses	6
House concurrent resolutions that died in committee.....	14
House concurrent resolutions that died on calendar.....	1
House concurrent resolutions killed in House.....	1
House concurrent resolutions that died in Senate Committee.....	4
House concurrent resolutions that died on Senate Calendar.....	0
House concurrent resolutions killed in Senate.....	1
Subtotal.....	21
Total.....	27
 House resolutions introduced in 2012 session.....	34
House resolutions adopted.....	23
House resolutions dying in committee.....	9
House resolution dying on calendar.....	2
House resolutions killed.....	0
Subtotal.....	34
Total.....	34

APPOINTMENTS, GUESTS, COMMUNICATIONS FROM STATE OFFICERS, IN THE 2012 HOUSE JOURNAL

APPOINTMENTS

Of Rev. Eunice Brubaker, chaplain, p. 1669.

Committee assignment changes, p. 1766.

Committee assignments for a Select Investigative Committee, pp. 2000-2001.

SPECIAL GUESTS

Dr. Deborah Clements, President of the Kansas Academy of Family Physicians, the group that sponsors the Doctor of the Day program, p. 1675.

Speaker O'Neal introduced Jim Geringer, former Governor and Legislator of Wyoming, p. 1695.

On behalf of Rep. Rhoades, Rep. Ballard introduced Larry Trask, President of the Midwestern Higher Education Compact; and former Senator Lana Oleen, former MHEC interim President. The Midwestern Higher Education Compact is one of four statutorily created interstate compacts for higher education in the United States. MHEC was founded in 1991 through the efforts of the Midwestern Legislative Conference of the Council of State Governments, p. 1696.

Chief Justice Lawton R. Nuss addressed remarks on the **State of the Judiciary** to the members of the House and Senate, p. 1699.

Rep. Schroeder introduced Jack Lindquist and Marisa Larson, President and Vice President, of Kansas Agriculture and Rural Leadership (KARL), pp. 1700-1701.

Rep. Tyson introduced Dane Simoneau, All American football player at Washburn University, p. 1705.

Rep. Mast introduced members of the Madison High School 2011 8-Man football State champion team and their coach, Fred McClain, p. 1717.

Rep. Hill introduced new Emporia State University President, Dr. Michael Shonrock and his wife, Karen, p. 1725.

Rep. Mast introduced members of the Olpe girls' volleyball team, 2011 2A State Champions, p. 1742.

Secretary of State Kris Kobach administered the oath of office for Rep. Phillips, representative of the 67th District, p. 1760.

Speaker O'Neal introduced Linda Fund, the wife of Rep. Rocky Fund, in whose memory **HR 6006** was adopted, p. 1785.

Rep. Crum introduced the 2011 Class 4A Champion Rose Hill Football team and their head coach, Greg Slade, pp. 1796.

Rep. Victors introduced Prairie Band of Potawatomi Nation Chairman Steve Ortiz, Kickapoo Nation of Kansas Chairman Steve Cadue, Sac & Fox Nation Chairman Mike Dougherty, and representatives from the Iowa tribe of Kansas and Nebraska, and the Kaw Nation, p. 1797.

Reps. Seiwert and Kerschen introduced leaders from St. Joseph's Catholic School Ost in Mount Hope, Kansas, principal Eva Harmon and four students, Mackenzie Puetz, Chip Dockers, Chloe Allmond, and Allie Frasher. The students are also serving today as pages, p. 1846.

Reps. Calloway and Grant introduced members of the Pittsburg State University 2011 NCAA Division II National Champion football team and coach Tim Beck, pp. 1846-1847.

In recognition of **HR 6004** celebrating the 125th Anniversary of Bethel College, Rep. Loganbill introduced President Dr. Perry White and two past presidents: Dr. Douglas Penner and LaVerne Epp, pp. 1847-1848.

Rep. Proehl introduced members of Kansas Phi Theta Kappa All-State Academic Team, pp. 1854-1855.

Reps. Moxley and Tietze introduced The International 4-H Youth Exchange members, pp. 1874-1875.

Reps. Kelly and McCray-Miller introduced Henry Williams from Independence, recipient of the 2011 Sargent Shriver Annual Achievement Award, pp. 1885-1886.

Rep. Kinzer introduced the Olathe South High School Football team, the 2011 Kansas 6A State

Champions, p. 1905.

In recognition of Black History Month, Rep. McCray-Miller introduced Colonel George M. Boyd and presented him with a framed House Certificate in recognition of his service with the United States Air Force in WWII, the Korean War, Vietnam and as a Tuskegee Airman. Rep. Winn, on behalf of Rep. Henderson, introduced Joe Jennings and Chester C. Owens, Jr. Mr. Jennings was recognized for his significant contribution to vocational education as a former AVTS instructor and for his community supported agriculture and Mr. Owens was recognized for outstanding leadership and contributions in advancing the cause of civil rights. Rep. Ballard introduced La Merle McCoy, recipient of the Wally Galluzzi Volunteer of the Year Award, pp. 1971-1972.

In recognition of **HR 6005**, Rep. Moxley introduced Bob Atchison who is in charge of the Rural Forestry Program and Tim McDonald who is in charge of the Community Forestry Program, pp. 1972-1973.

Rep. Gregory introduced the Baldwin City High School Real World Design Challenge Team and recognized their 4th consecutive State Championship, pp. 1984-1985.

Rep. Kelly introduced the Sedan High Blue Devil Baseball team, the 2011 Class 2-1A State Champions, p. 1989.

Reps. Moxley and Wetta introduced several visitors from Turkey, p. 1994.

Rep. Rubin introduced Lucas Shivers, a sixth-grade teacher at Bluejacket-Flint Elementary in Shawnee, the 2012 Janet Sims Memorial Teacher of the Year, pp. 2002-2003.

Rep. Kuether introduced 2012 Mrs. Kansas, Bobbie Padgett, p. 2003.

In recognition of **HR 6014**, Rep. Meier introduced George Lutz and other individuals connected with the Honor and Remember Flag, which was designed to acknowledge American service members who have fallen while in service to their nation, pp. 2004-2005.

Rep. Seiwert introduced individuals from St. Patrick's Catholic School in Kingman, including Robert Lyall, principal, Father Benjamin Shockey, Parish priest, Ann Vaughn, lead teacher, and three students, p. 2028.

Rep. DeGraaf introduced the Wichita Warriors Homeschool Robotics team that finished first place in the event held at Wichita State University, pp. 2076-2077.

Rep. Crum introduced the Douglass Girls High School Cross Country team, class 3A state champs, pp. 2077-2078.

Rep. Smith introduced the director of Shawnee Mission West High School band, Bill Thomas, p. 2088.

Rep. Gregory introduced the president of Neosho County Community College Dr. Brian Inbody, Vice President of Operations Ben Smith, Kyle Trendel of Devore and Associates of Ottawa, Wendy Van Duyne of Bartlett & West as the engineers, and Josh Walker of Loyd Builders, for the contractor for the NCCC hospital project. The College team was led by Ben Smith, Vice President for Operations and Dr. Brian Inbody, President of NCCC. Nine months from ground breaking, the campus opened in March 2011, p. 2089.

Rep. Bethell introduced the Sterling High School Black Bears men's basketball team, the Kansas 2A Champions. School representatives included William Anderson, Principal; Derek Schneider, Head Coach; Tyson Bauerle, Assistant Coach; Wes Lauder milk, Assistant Coach; and the Black Bears team, p. 2281.

Rep. Proehl introduced the Labette Community College Cardinals, winners of the 2012 National Junior College Athletic Association (NJCAA) wrestling championship for the second time, pp. 2288-2289.

In recognition of **HR 6020**, Rep. Gregory introduced Tom Mach, author of "Angels at Sunset," pp. 2317-2318.

Rep. Mah introduced 2012 National Aviation Maintenance Technician of the Year, Marvin Hornbostel, Junction City, pp. 2359-2360.

Rep. Bollier introduced the Shawnee Mission East Boy's High School 2012 Swim and Dive Team State Champions, pp. 2364-2365.

In recognition of **HR 6030**, Rep. O'Neal introduced members of the University of Kansas men's and women's basketball teams, pp. 2372-2373.

In recognition of **HR 6031**, Rep. Carlin introduced military children from Fort Leavenworth, pp. 2374-2375.

Rep. Smith introduced board members of the Kelsey Smith Foundation, as well as his wife, pp. 2401-2402.

Rep. Henry introduced the family of David Ernest Enzbrenner of the Atchison Police Department who was killed in the line of duty on December 9, 2011. Family members included his wife, Kerri and three daughters Avery, Abbi, and Celia, p. 2421.

In recognition of **HR 6033**, Rep. Carlin introduced Coach Bill Snyder, head football coach, Kansas State University, recently named Woody Hayes National Coach of the Year, pp. 2492-2493.

Rep. Meier introduced the Leavenworth High School Pioneers Girls Powerlifting Team, pp. 2493-2494.

Rep. Goico introduced members representing the Salvation Army, pp. 2528-2529.

In recognition of **HR 6034**, Rep. Davis acknowledged the service of Jim Wilson who retired as the First Assistant Revisor this year after 40 years of service, pp. 3223-3224.

COMMUNICATIONS FROM STATE OFFICERS

During the interim received by the Office of the Chief Clerk:

From Karen Brownlee, Secretary, Kansas Department of Labor. the Kansas Department of Labor's 2010 Annual Report.

From Ed Eilert, Chairman, Johnson County Education Research Triangle, in accordance with K.S.A. 19-5005(e), the Annual Report for the fiscal year ending June 20, 2011.

From Angela Nordhus, Executive Director, State Child Death Review Board, in accordance with K.S.A. 22a-243(i), the 2011 Kansas State Child Death Review Board Annual Report. The report can be viewed at <http://www.ksag.org/page/child-safety>

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, the Kansas Public Employees Retirement System's Annual Financial Report. The report can be viewed at <http://www.kpers.org/annualreport2011.pdf>.

From Scott W. Miller, Director of Investments, Pooled Money Investment Board, the Annual Report of the Pooled Money Investment Board for Fiscal Year 2011.

From Ray Roberts, Secretary of Corrections, in accordance with K.S.A. 75-52,112, the Kansas Community Corrections Statewide Risk Reduction Initiative Annual Report, p. 1670.

From the Office of Governor Sam Brownback:

Executive Order No. 11-12, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-13, Extension of Prior Conditional and Temporary Relief Executive Orders.

Executive Order No. 11-14, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-15, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-16, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-17, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-18, declaring a Drought Watch, Drought Warning or Drought Emergency for the counties below replacing Executive Order 11-06.

Executive Order No. 11-19, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-20, Offering a Governor's Reward in a homicide investigation in Ford County.

Executive Order No. 11-21, Offering a Governor's Reward in a homicide investigation in Reno

County.

Executive Order No. 11-22, Creating the National Bio and Agro Defense Facility in Kansas Steering Committee.

Executive Order No. 11-23, Establishing the Governor's Economic Advisors Council.

Executive Order No. 11-24, Extension of Prior Conditional and Temporary Relief Executive Order.

Executive Order No. 11-25, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-26, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-27, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties, replacing Executive Order No. 11-18.

Executive Order No. 11-28, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-29, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties, replacing Executive Order No. 11-18, until revised or rescinded by further executive order.

Executive Order No. 11-30, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-31, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-32, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-33, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-34, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-35, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-36, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-37, declaring a Drought Watch, Drought Warning, or Drought Emergency for certain counties.

Executive Order No. 11-38, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-39, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-40, naming the Bennie Lee Graham Memorial Cemetery at the Kansas Juvenile Correctional Complex.

Executive Order No. 11-41, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-42, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-43, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-44, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-45, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-46, establishing additional duties of the Executive Branch Chief Information Technology Officer within the Department of Administration.

Executive Order No. 11-47, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Order No. 11-48, declaring a Drought Watch, Drought Warning, or Drought

Emergency for certain counties.

Executive Order No. 11-49, Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

Executive Directive No. 11-419, Authorizing Personnel Transactions.

Executive Directive No. 11-420, Authorizing Expenditure of Federal Funds and Authorizing Personnel Transactions.

Executive Directive No. 11-421, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-422, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-423, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-424, Authorizing Expenditure of Federal Funds, and Authorizing Personnel Transactions.

Executive Directive No. 11-425, Authorizing Expenditure of Federal Funds.

Executive Directive No. 11-426, Authorizing Expenditure of Federal Funds, pp. 1670-1672.

Also, from Clint Blaes, Office of the Attorney General, in accordance with K.S.A. 75-723, 2011 annual report of the Abuse, Neglect and Exploitation Unit of the Attorney General's Office, January 5, 2012 p. 1672.

From Julian Efird, Principal Analyst, Kansas Legislative Research Department, Final Report, KPERS Study Commission, December 31, 2011, p. 1672.

From Debra Billingsley, Executive Secretary, Kansas Board of Pharmacy, Report on Proposed Controlled Substances for Scheduling, Rescheduling or Deletion, January 9, 2012, p. 1672.

From Ernest E. Garcia, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, report regarding forfeiture funds, December 21, 2011, p. 1672.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, in accordance with K.S.A. 76-3312(p), Annual Report, "Restoring Hope, Saving Lives," December 19, 2011, p. 1672.

From Tim Shallenburger, President, and Rebecca E. Floyd, Executive Vice President/General Counsel, Kansas Development Finance Authority, Annual Report as required by K.S.A. 74-8913, November 30, 2011, p. 1672.

From Dennis L. Mesa, Executive Director, Kansas Housing Resources Corporation, Financial Statements for the years ended June 30, 2011 and 2010 and Independent Auditors' Report, November 29, 2011, p. 1672.

From Doug Louis, Director, Conservation Division, Kansas Corporation Commission, Abandoned Oil & Gas Well/Remediation Site Status Reports, January 9, 2012, p. 1678.

From Larry Biles, State Forester, Kansas Forest Service, 2011 Annual Report, p. 1678.

From Lee E. Tafanelli, Adjutant General, Department Annual Report for 2011 which can be viewed online at <http://www.kansastag.gov>, January 10, 2012, p. 1680. From Gary Hershberger, Chair, Kansas Water Authority, 2012 Annual Report to the Governor and Legislature, p. 1680.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, pursuant to K.S.A. 2010 Supp. 66-1250 through 55-1254, Broadband Availability Report to the 2012 Legislature. Report can also be viewed at <http://kcc.ks.gov>, p. 1698.

From Dale Rodman, Secretary, Kansas Department of Agriculture, 2011 Annual Report, p. 1706.

From Robert Moser, M.D., Secretary and State Health Officer, Kansas Department of Health and Environment, Annual Report, p. 1711.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117, report regarding the status of the KBI State Forfeiture Fund, p. 1714.

From Members of the Kansas Employment First Oversight Commission, Annual Report, January 23, 2012, p. 1725.

From Mike Michael, Director, State Employee Health Benefit Plans, Division of Health Care Finance, Kansas Department of Health and Environment, in compliance with K.S.A. 75-6509, 2011 Report of the Kansas State Employees Health Care Commission (compact disc), p. 1730.

From REAP (Regional Economic Area Partnership) of South Central Kansas, Kansas Affordable Airfares Program Fiscal Year 2012 Financial Status Report, p. 1730.

From John W. Mitchell, Director, Division of Environment, Kansas Department of Health and Environment, reports of the following bureaus: Bureau of Air, Bureau of Environmental Remediation, Bureau of Waste Management, Bureau of Water, p. 1738.

From the Hon. Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program, 2011 Annual Report, July 1, 2010-June 30, 2011, p. 1745.

From Nick Jordan, Secretary of Revenue, Kansas Department of Revenue, Annual Report, pursuant to K.S.A. 79-32,262(b)(3), Declared Disaster Capital Investment Tax Credit, p. 1745.

From Nick Jordan, Secretary of Revenue, Kansas Department of Revenue, Annual Report, pursuant to K.S.A. 79-32,261(f), Higher Education Deferred Maintenance Tax Credit, p. 1745.

From Jesse Borjon, Director of Public Affairs and Consumer Protection, Kansas Corporation Commission, Annual Report to the 2012 Legislature, p. 1762.

From Patti Petersen-Klein, Executive Director, Kansas Corporation Commission, as required by K.S.A. 2011 Supp. 66-2005 as amended by SB 350, HB 2637 and SB 72, Annual Price Deregulation Report to the 2012 Legislature, February 1, 2012, p. 1762.

From Catherine Couch, Kansas Housing Resources Corporation, 2011 Annual Report which is available online at www.kshousingcorp.org, p. 1817.

From Sandy Praeger, Commission of Insurance, pursuant to K.S.A. 40-108, 2011 Annual Report of the Kansas Insurance Department, p. 1829.

From Mike Michael, Director, State Employee Health Benefit Plans, Division of Health Care Finance, Kansas Department of Health and Environment, in compliance with 2010 S Sub for HB 2160, Kansas State Employees Health Care Commission Report relating to Autism Spectrum Disorder, p. 1978.

From Rep. Carl Dean Holmes, chairperson, Kansas Electric Transmission Authority, 2011 Annual Report to the Governor and the Legislature, p. 1986.

From David J. King, Chair, Kansas Commission on Judicial Qualifications, 2011 Annual Report, p. 2219.

From Martin Eckhardt, Director, Office of Management Analysis and Standards, Kansas Department of Administration, Comprehensive Annual Financial Report, July 1, 2010 to June 20, 2011, p. 2314.

From Karen Z. Schutter, Executive Director, Interstate Insurance Product Regulation Commission (HPRC), 2011 Annual Report, p. 2366.

From Shea Robinson, KDHE – division of Health Care Finance, pursuant to K.S.A. 65-6218, 2012 Health Care Access Improvement panel (HCAP) Annual Legislative Report, p. 2372.

From Karin Brownlee, Secretary, Kansas Department of Labor, 2011 Annual Report, p. 2391.

From William V. Minner, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004 (13), Annual Report Fiscal Year 2011, p. 2567.

From Richard Petersen-Klein, Executive Director, Kansas Racing and Gaming Commission, 2011 Annual Report, p. 2567.

From Ray Roberts, Secretary of Corrections, Kansas Department of Corrections, in accordance with K.S.A. 60-4117, report of the State Forfeiture Fund for December 1, 2010 through December 1, 2011, p. 2806.

SPECIAL REMARKS

State of the State address, January 11, 2012, pp. 1681-1685.

In recognition of the birthday of Martin Luther King, Jr., Reps. Ballard and Rubin read from King's famous "I Have a Dream" speech, pp. 1690-1694

Oath of office administered for Rep. Phillips, representative of the 67th District, p. 1760.

Presentation of the 2012 Capitol Statesman award honoring the late Rep. Bob Bethell by Rep. Siegfried to Rep. Lorene Bethell and family, pp. 3222-3223

MESSAGES FROM THE GOVERNOR

Executive Directive No. 11-427, concerning authorizing expenditure of federal funds, p. 1680.

Executive Directive No. 12-428, concerning authorizing expenditure of federal funds, p. 1714.

Executive Order No. 12-01, concerning conditional and temporary relief from motor carrier rules and regulations, p. 1733.

Executive Reorganization Order No. 41, concerning reorganization of Medicaid, pp. 1776-1784.

Executive Order No. 12-02, for regional emergencies, concerning conditional and temporary relief from motor carrier rules and regulations, p. 1973.

Executive Order No. 12-03, concerning suspension of regulations for disaster victims, p. 1985.

Veto message regarding **HB 2624**: While the policy expressed in HB 2624 has merit, it needs to be considered in the context of a comprehensive pro-growth tax and budget package. Therefore, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **HB 2624**, p. 2268.

Veto of **HB 2624** upheld, p. 2315.

Executive Order No. 12-04 concerning conditional and temporary relief from motor carrier rules and regulations, p. 2289.

Message concerning **HB 2505** becoming law without the governor's signature, p. 2361.

Executive Order No. 12-05, concerning conditional and temporary relief from motor carrier rules and regulations, p. 2365.

Executive Directive No. 12-429, authorizing expenditure of federal funds, p. 2384.

Executive Order No. 12-06, concerning conditional and temporary relief from motor carrier rules and regulations p. 2384.

Executive Order No. 12-07 concerning declaration of drought watch or warning and instituting appropriate response, p. 2473.

AUTHOR INDEX

This index includes all legislation sponsored by House Members, House committees, Joint Committees, Select Committees and Special Committees.

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- H 2680 Health reimbursement arrangements.
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- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
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- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
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- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
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H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

HCR 5029 State constitutional amendment; human life amendment.

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HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.

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- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Boman, Benny

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2552 Superintendent qualifications.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Bowers, Elaine

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- HR 6006 Memorials; Rocky Fund.

- HR 6014 Designating the Honor and Remember Flag.
- HR 6017 Congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Brookens, Bob

- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6017 Congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Brown, Anthony

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

- H 2665 Paint waste disposal.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Bruchman, Rob

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Brunk, Steve

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.

- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Burgess, Mike

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2263 Increased employee contributions for KP&F members and removal of maximum retirement benefit provision.
- H 2680 Health reimbursement arrangements.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Burroughs, Tom

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.

- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Calloway, Terry

- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Carlin, Sydney

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2571 Designating limestone as the official state rock.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.

- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Carlson, Richard

- H 2004 School districts; defining non-resident pupil.
- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Cassidy, Ward

- H 2129 Enacting the health care freedom act.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2559 Amendments to the Kansas school safety and security act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans

- memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Collins, Dan

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.

- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Colloton, Pat

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Crum, Dave

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2156 Five-year phase out of income tax on corporations.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's

basketball teams.

HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Davis, Paul

H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.

H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

HCR 5028 Joint sessions for hearing message of governor and message of supreme court.

HCR 5033 Adjournment of legislature for a time during the 2012 session.

HCR 5034 Adjournment for a time during the 2012 legislature.

HR 6001 Organization of the House of Representatives, 2012.

HR 6002 Assignment of seats in the House of Representatives, 2012 session.

HR 6006 Memorials; Rocky Fund.

HR 6007 Assignment of seats in the House of Representatives, 2012 session.

HR 6014 Designating the Honor and Remember Flag.

HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

HR 6020 Commemorating the Kansas Angels at Sunset Centennial.

HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

HR 6024 Designating every Sunday as "Cooking With Kids Day."

HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."

HR 6028 Honoring Bob Wootton.

HR 6029 Memorials; Jonathan Wells.

HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

HR 6034 Honoring First Assistant Revisor James Arthur Wilson III

DeGraaf, Pete

H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.

H 2036 Interpretation of federal statutes, regulations and national codes.

H 2087 Concerning the protection of rights granted under the constitution.

H 2126 Elections; municipalities; primary and general election date change.

H 2129 Enacting the health care freedom act.

H 2156 Five-year phase out of income tax on corporations.

H 2254 Covenant marriages; procedures for divorce and separate maintenance.

H 2454 Income tax checkoff; Kansas arts commission checkoff fund.

H 2533 Amending requirements and penalties for failure to report suspected child abuse.

H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.

H 2552 Superintendent qualifications.

H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

H 2680 Health reimbursement arrangements.

H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.

HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health

- insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Denning, Jim

- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S. News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Dillmore, Nile

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.

- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Donohoe, Owen

- HR 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
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- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Fawcett, James

- H 2129 Enacting the health care freedom act.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2420 Cities; bonded debt limits.
- H 2426 Utilities; relating to the renewable energy standards act.
- H 2439 School districts; counting of certain military pupils.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5016 Urging Congress to extend equal benefits for the treatment of Agent Orange exposure to Vietnam veterans who served outside of Vietnam.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Feuerborn, Bill

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Finney, Gail

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Flaharty, Geraldine

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Frownfelter, Stan

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.

- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Garber, Randy

- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2509 Designating a portion of K-9 as the David Mee memorial highway.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2546 Horton armory; authorization to convey to city of Horton.
- H 2552 Superintendent qualifications.
- H 2580 Creating the Kansas public charter schools act.
- H 2590 Reducing application fees for advertising signs along highways.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.

- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Gatewood, Doug

- H 2002 Amendments to the Kansas expanded lottery act.
- H 2412 Cities; dissolution, certain cities.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Gatewood, Sean

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Goico, Mario

- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.

- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2696 Central database of information on resources supporting veterans.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5026 Outlining the State of Kansas' principles regarding immigration reform policy.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6025 Supporting effort to build the Operation Freedom War Memorial in Wichita.
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Gonzalez, Ramon

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5026 Outlining the State of Kansas' principles regarding immigration reform policy.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Goodman, Jana

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2421 Kansas firearms freedom act; violations, criminal penalty
- H 2422 Personal and family protection act; corrections officers.
- H 2423 Municipalities; political campaign yard signs regulation limited.
- H 2425 Campaign finance; schools; question submitted elections.
- H 2427 Firearms; firearms dealers; entrapment; criminal penalties.
- H 2439 School districts; counting of certain military pupils.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2462 Allowing vehicles to proceed through red lights under certain conditions.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2580 Creating the Kansas public charter schools act.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- H 2690 Kansas clean air act smoking on certain premises.
- H 2695 Amending the inspection requirements of facilities under the pet animal act.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th

- anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Gordon, Lana

- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2552 Superintendent qualifications.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6023 Encouraging participation in National Public Health Week.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Grange, John

- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2146 Designating the official gemstone of the state of Kansas.
- H 2156 Five-year phase out of income tax on corporations.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements

- for out-of-state insurers.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Grant, Bob

- H 2002 Amendments to the Kansas expanded lottery act.
- H 2466 Providing state employees who retired on and after January 10, 2011 and before August 2, 2011 an election to either receive continued health insurance benefits or receive a one-time lump sum payment.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Gregory, TerriLois

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.

- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2580 Creating the Kansas public charter schools act.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- H 2689 Liquor licenses; railway cars.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Grosserode, Amanda

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.

- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hayzlett, Gary

- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6015 Commemorating the 75th anniversary of the wildlife and sport fish restoration program.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hedke, Dennis

- H 2126 Elections; municipalities; primary and general election date change.
- H 2156 Five-year phase out of income tax on corporations.

- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Henderson, Broderick

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Henry, Jerry

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hermanson, Phil

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hildabrand, Brett

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hill, Don

- H 2048 Establishing a prescription drug disposal program.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hineman, Don

- H 2063 Designating an official state fossil.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Hoffman, Kyle

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2432 Providing for a ducks unlimited license plate.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's

basketball teams.

HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Holmes, Carl

H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

HR 6006 Memorials; Rocky Fund.

HR 6014 Designating the Honor and Remember Flag.

HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

HR 6020 Commemorating the Kansas Angels at Sunset Centennial.

HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

HR 6024 Designating every Sunday as "Cooking With Kids Day."

HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."

HR 6028 Honoring Bob Wootton.

HR 6029 Memorials; Jonathan Wells.

HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Holmes, Mitch

H 2087 Concerning the protection of rights granted under the constitution.

H 2126 Elections; municipalities; primary and general election date change.

H 2129 Enacting the health care freedom act.

H 2254 Covenant marriages; procedures for divorce and separate maintenance.

H 2530 Relating to the commitment procedure of sexually violent predators.

H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.

HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.

HCR 5030 Urging the United States congress to adopt the parental rights amendment.

HR 6006 Memorials; Rocky Fund.

HR 6009 Urging Congress to adopt the parental rights amendment.

HR 6014 Designating the Honor and Remember Flag.

HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

HR 6020 Commemorating the Kansas Angels at Sunset Centennial.

HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

HR 6024 Designating every Sunday as "Cooking With Kids Day."

HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."

HR 6028 Honoring Bob Wootton.

HR 6029 Memorials; Jonathan Wells.

HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press

Big 12 Coach of the Year.

Howell, Jim

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Huebert, Steve

- H 2007 Health exceptions to late-term and partial birth abortions.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.

- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
 - HR 6003 Designating school choice week in Kansas.
 - HR 6006 Memorials; Rocky Fund.
 - HR 6009 Urging Congress to adopt the parental rights amendment.
 - HR 6014 Designating the Honor and Remember Flag.
 - HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
 - HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
 - HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
 - HR 6024 Designating every Sunday as "Cooking With Kids Day."
 - HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
 - HR 6028 Honoring Bob Wootton.
 - HR 6029 Memorials; Jonathan Wells.
 - HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
 - HR 6031 Recognizing April as the month of the military child.
 - HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Johnson, Steven

- H 2129 Enacting the health care freedom act.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2691 Biennial budget estimates for state agencies.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
 - HR 6006 Memorials; Rocky Fund.
 - HR 6014 Designating the Honor and Remember Flag.
 - HR 6017 Congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.
 - HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
 - HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
 - HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
 - HR 6024 Designating every Sunday as "Cooking With Kids Day."
 - HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
 - HR 6028 Honoring Bob Wootton.
 - HR 6029 Memorials; Jonathan Wells.
 - HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
 - HR 6031 Recognizing April as the month of the military child.

HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kelley, Kasha

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kelly, Jim

- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kerschen, Dan

- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kiegerl, Mike

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2228 Insurance; providing coverage for hearing aids.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2664 Enacting the Kansas empowerment scholarship act.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements

- for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kinzer, Lance

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2009 Defining the crime of home improvement fraud and providing penalties.
- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2206 Child tax credit provided under Kansas income tax law.
- H 2236 Creating the special education scholarship program.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2261 Enacting the revised uniform limited liability company act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5006 State constitutional amendment concerning appropriations of money and expenditure of funds appropriated by law by the legislative branch.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kleeb, Marvin

- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Knox, Forrest

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.

- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Kuether, Annie

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Landwehr, Brenda

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."

- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Lane, Harold

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

LeDoux, Trent

- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2612 Barnes brothers memorial highway
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2641 County appraisers, election.
- H 2680 Health reimbursement arrangements.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.

- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Loganbill, Judith

- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6004 Bethel College; recognizing its 125th anniversary of its founding.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Mah, Ann

- H 2478 City unilateral annexation; county approval.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Mast, Peggy

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2424 Relating to HCBS providers; providers that develop plans of care cannot be providers on such plans of care.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

McCray-Miller, Melody

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2246 Mandatory paternity testing for every child born in the state.
- H 2589 Colleges and universities; athletic scholarship disclosures required.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6008 A RESOLUTION urging the use of the Kansas Communities That Care survey.
- HR 6012 Student athlete's bill of rights; special committee to study issue.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

McLeland, Joe

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Meier, Melanie

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.

- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Meigs, Kelly

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2129 Enacting the health care freedom act.
- H 2559 Amendments to the Kansas school safety and security act.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Mesa, Reynaldo

- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2559 Amendments to the Kansas school safety and security act.

- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2691 Biennial budget estimates for state agencies.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5026 Outlining the State of Kansas' principles regarding immigration reform policy.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Montgomery, Robert

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2559 Amendments to the Kansas school safety and security act.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."

- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Mosier, Susan

- H 2129 Enacting the health care freedom act.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2571 Designating limestone as the official state rock.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.

Moxley, Tom

- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6017 Congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

O'Brien, Connie

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.

- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2421 Kansas firearms freedom act; violations, criminal penalty
- H 2422 Personal and family protection act; corrections officers.
- H 2425 Campaign finance; schools; question submitted elections.
- H 2427 Firearms; firearms dealers; entrapment; criminal penalties.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2580 Creating the Kansas public charter schools act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

O'Hara, Charlotte

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.

- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6021 Opposing the 2012 National Defense Authorization Act which allows arrest, detention and rendition of American citizens without trial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

O'Neal, Mike

- H 2037 Committees; creating the house committee on commerce and economic development.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2555 Recreation commissions; joint district recreation systems; changes.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5020 Endorsing Taiwan's participation as an observer in the ICAO and UNFCCC.
- HCR 5028 Joint sessions for hearing message of governor and message of supreme court.
- HCR 5033 Adjournment of legislature for a time during the 2012 session.
- HCR 5034 Adjournment for a time during the 2012 legislature.
- HR 6001 Organization of the House of Representatives, 2012.
- HR 6002 Assignment of seats in the House of Representatives, 2012 session.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6007 Assignment of seats in the House of Representatives, 2012 session.
- HR 6013 Kansas-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansas-Turkish Friendship Network.

- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.
- HR 6034 Honoring First Assistant Revisor James Arthur Wilson III

Osterman, Leslie

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
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- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Otto, Bill

- H 2005 School districts; finance; establishing the base state aid per pupil for future school years.
- H 2036 Interpretation of federal statutes, regulations and national codes.

- H 2043 School districts; requiring online reporting of all expenditures by each district.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2257 Determination of supplemental general state aid; creating school district enhancement fund; exemptions for statewide levy; income tax checkoff and withholding for school district contributions.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2580 Creating the Kansas public charter schools act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2657 Joint committee on the oversight of the state fire marshal's office created.
- H 2671 Legislative post audit committee abolished; duties transferred to legislative coordinating council.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Patton, Joe

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2680 Health reimbursement arrangements.
- H 2688 Eliminating annualization by legislators in determination of benefits and contribution thereof.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.

- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Pauls, Janice

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Peck, Virgil

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements

- for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Peterson, Mike

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Phelps, Eber

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.

- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Phillips, Tom

- H 2680 Health reimbursement arrangements.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Pottorff, Jo Ann

- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Powell, Larry

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.

- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Prescott, Willie

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Proehl, Richard

- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Rhoades, Marc

- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2644 Terminology change from mental retardation and similar terms to intellectual disability and similar terms.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.

- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Roth, Charles

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Rubin, John

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2511 Sales tax exemption; over-the-counter drugs and food.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2559 Amendments to the Kansas school safety and security act.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.

- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Ruiz, Louis

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5026 Outlining the State of Kansas' principles regarding immigration reform policy.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Ryckman, Ronald

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.

- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Scapa, Joseph

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2686 Establishing a program for drug screening for cash assistance recipients.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HCR 5030 Urging the United States congress to adopt the parental rights amendment.
- HR 6003 Designating school choice week in Kansas.
- HR 6006 Memorials; Rocky Fund.
- HR 6009 Urging Congress to adopt the parental rights amendment.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.

- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Schroeder, Don

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2644 Terminology change from mental retardation and similar terms to intellectual disability and similar terms.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Schwab, Scott

- H 2168 Creating additional benefits for Kansas veterans.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2690 Kansas clean air act smoking on certain premises.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Schwartz, Sharon

- H 2129 Enacting the health care freedom act.

- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Seiwert, Joe

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2690 Kansas clean air act smoking on certain premises.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
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- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press

Big 12 Coach of the Year.

Shultz, Clark

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Siegfreid, Arlen

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- H 2693 Agreements with school districts for service provided to students attending the school for the blind and the school for the deaf.
- H 2694 State capitol building; all faiths chapel.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5020 Endorsing Taiwan's participation as an observer in the ICAO and UNFCCC.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Slattery, Mike

- H 2417 Amending the renewal date for individuals whose Kansas driver's licenses expire on the individual's 21st birthday.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Sloan, Tom

- H 2048 Establishing a prescription drug disposal program.
- H 2059 Requiring second-hand stores to verify identity of sellers and record such information.
- H 2061 Enumerating transferred intent as an element of state criminal law when the person acts with the requisite culpability but such person's actions affect a different object or person than intended.
- H 2062 Giving law enforcement officers permission to search people on probation, parole or postrelease supervision upon reasonable suspicion.
- H 2063 Designating an official state fossil.
- H 2115 Adding several person and property crimes to offenses and conduct giving rise to civil forfeiture.
- H 2123 Enacting the Kansas adverse medical outcome transparency act.
- H 2178 Granting professional licenses to nonresident individuals.
- H 2217 Concerning authorized interception of wire, oral or electronic communications; issuance of order.
- H 2415 Income taxation; relating to certain sales of land devoted to agricultural use.
- H 2459 Allowing department of defense motorcycle training to qualify with reciprocity for Kansas licensure requirements.
- H 2518 Limitations and transferability of angel investor income tax credits.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Smith, Greg

- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2032 County and district attorney monthly reporting of caseloads.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2091 Decreasing rate of sales and compensating use tax.
- H 2129 Enacting the health care freedom act.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2559 Amendments to the Kansas school safety and security act.
- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence substantiating valuation of property.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Spalding, Sheryl

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's

- basketball teams.
 HR 6031 Recognizing April as the month of the military child.
 HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Suellentrop, Gene

- H 2087 Concerning the protection of rights granted under the constitution.
 H 2091 Decreasing rate of sales and compensating use tax.
 H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
 H 2129 Enacting the health care freedom act.
 H 2156 Five-year phase out of income tax on corporations.
 H 2533 Amending requirements and penalties for failure to report suspected child abuse.
 H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
 H 2680 Health reimbursement arrangements.
 H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
 H 2690 Kansas clean air act smoking on certain premises.
 HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
 HR 6006 Memorials; Rocky Fund.
 HR 6014 Designating the Honor and Remember Flag.
 HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
 HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
 HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
 HR 6024 Designating every Sunday as "Cooking With Kids Day."
 HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
 HR 6028 Honoring Bob Wootton.
 HR 6029 Memorials; Jonathan Wells.
 HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
 HR 6031 Recognizing April as the month of the military child.
 HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Swanson, Vern

- H 2126 Elections; municipalities; primary and general election date change.
 H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
 HR 6006 Memorials; Rocky Fund.
 HR 6014 Designating the Honor and Remember Flag.
 HR 6017 Congratulating and commending the United States Congress for establishing the Dwight D. Eisenhower Memorial.
 HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
 HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
 HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
 HR 6024 Designating every Sunday as "Cooking With Kids Day."
 HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
 HR 6028 Honoring Bob Wootton.

- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Tietze, Annie

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Trimmer, Ed

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2504 Immunity from civil liability for financial advisers who report suspected exploitation, fiduciary abuse or fraud involving their senior citizen clients.
- H 2513 Cairn Terrier dog breed designated official state dog breed of the state of Kansas.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6010 Exemption from child labor laws for people under the age of 16 who perform farm related work.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Tyson, Caryn

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Vickrey, Jene

- H 2006 Repeal of K.S.A. 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States.
- H 2031 Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies.
- H 2087 Concerning the protection of rights granted under the constitution.
- H 2126 Elections; municipalities; primary and general election date change.
- H 2129 Enacting the health care freedom act.
- H 2156 Five-year phase out of income tax on corporations.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2552 Superintendent qualifications.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HCR 5020 Endorsing Taiwan's participation as an observer in the ICAO and UNFCCC.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.

- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Victors, Ponka-We

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Ward, Jim

- H 2215 Bankruptcy; exempt property; earned income credit.
- H 2448 Firefighters health insurance.
- H 2457 MR/DD waiver programs; exemption from the managed care system.
- H 2573 Enacting the KanCare accountability act.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Weber, Brian

- H 2087 Concerning the protection of rights granted under the constitution.
- H 2156 Five-year phase out of income tax on corporations.
- H 2212 Mill levy adjustments; resolutions, publication requirements.
- H 2254 Covenant marriages; procedures for divorce and separate maintenance.

- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6011 Congratulating and commending Fort Hays State University for being named by U.S.News and World Report to the top tier of online education universities.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Wetta, Vince

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2563 Wheat festival, Wellington, Kansas; official state wheat festival.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HCR 5029 State constitutional amendment; human life amendment.
- HR 6006 Memorials; Rocky Fund.
- HR 6013 Kansan-Turkish Friendship Network.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6016 Kansan-Turkish Friendship Network.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Williams, Jerry

- H 2586 Protesting payment of taxes; requiring county appraiser to initiate production of evidence

- substantiating valuation of property.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Winn, Valdenia

- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Wolf, Kay

- H 2048 Establishing a prescription drug disposal program.
- H 2129 Enacting the health care freedom act.
- H 2243 Wage payment act; additional penalties for employers who repeatedly fail to pay wages.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2533 Amending requirements and penalties for failure to report suspected child abuse.
- H 2534 Amending requirements and penalties for failure to report death or disappearance of a child and interference with law enforcement.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.

- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Wolf, Bill

- H 2036 Interpretation of federal statutes, regulations and national codes.
- H 2101 Court of appeals judges appointed by the governor, confirmed by the Senate; eliminating the nominating commission for the court of appeals appointments.
- H 2129 Enacting the health care freedom act.
- H 2262 Hiram Price Dillon House, conveyance to not-for-profit corporation for promotion of the arts.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- H 2680 Health reimbursement arrangements.
- H 2681 Allowing the interstate purchase of accident and sickness insurance and establishing requirements for out-of-state insurers.
- HCR 5007 Constitutional amendment to preserve right to choose health care services and participate in health insurance plan.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Wolfe Moore, Kathy

- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.

- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

Worley, Ron

- H 2129 Enacting the health care freedom act.
- H 2454 Income tax checkoff; Kansas arts commission checkoff fund.
- H 2614 Designating the junction between I-70 and US 183 as the CW2 Bryan J. Nichols fallen veterans memorial interchange.
- HR 6006 Memorials; Rocky Fund.
- HR 6014 Designating the Honor and Remember Flag.
- HR 6019 Congratulating and commending the Kansas State Firefighter's Association on their 125th anniversary.
- HR 6020 Commemorating the Kansas Angels at Sunset Centennial.
- HR 6022 Designating March 27, 2012 as American Diabetes Association Alert Day.
- HR 6024 Designating every Sunday as "Cooking With Kids Day."
- HR 6027 A resolution designating March 30 as "Welcome Home Vietnam Veterans Day."
- HR 6028 Honoring Bob Wootton.
- HR 6029 Memorials; Jonathan Wells.
- HR 6030 Congratulating and commending the 2011-2012 University of Kansas men's and women's basketball teams.
- HR 6031 Recognizing April as the month of the military child.
- HR 6033 Congratulating and commending Coach Bill Snyder for being named the 2011 Associated Press Big 12 Coach of the Year.

State Legislature, House Committees (Various)

Agriculture and Natural Resources

- H 2099 Creation of the Kansas goat council.
- H 2109 Creating the Kansas dam rehabilitation program.
- H 2167 Limiting liability of property owners; noncommercial aviation activities.
- H 2183 An act concerning environmental protection; relating to the interstate environmental freedom compact.
- H 2231 Updating the provisions regarding water bank flex accounts.
- H 2272 Exempting certain minor construction projects from state and federal water regulations.
- H 2295 Amending state hunting laws and regulations relating to hunting seasons, permits and the use of bows.
- Sub H 2295 Amending hunting provisions concerning crossbows and deer hunting seasons.
- H 2320 Oil unit ownership and operation.
- H 2451 Eliminating "use it or lose it" for groundwater rights in areas closed to new water right development.
- H 2452 Granting the governor seven big game special hunting permits per year.
- H 2502 Amending the procedure for a county to grant permission to establish swing production facilities.
- H 2503 Amending the membership and responsibilities for certain agricultural boards and advisory bodies.
- H 2516 Allowing a water bank charter to become permanent.
- H 2517 Making the water transition assistance program permanent.
- H 2551 Increasing the maximum allowable vessel registration fee charged by the department of wildlife.

- parks and tourism.
- H 2587 Limiting the duration of conservation easements
- H 2654 Amending the withdrawal procedure for counties as members of extension districts.
- H 2698 Water permit for sand and gravel pit projects.
- Sub H 2709 Penalties and restitution relating to hunting violations, trespassing and criminal hunting.
- H 2729 Amending provisions relating to parks and recreation motor vehicle registration and permits.
- H 2730 Amending the provisions of acts pertaining to food safety and lodging establishments.
- HR 6005 A resolution recognizing 125 years of dedicated forestry services.
- H Sub for
- Sub S 148 Division of water rights and permits for gravel and sand operations.

Agriculture and Natural Resources Budget

- H 2149 Amending the procedures for the Department of Wildlife and Parks to purchase land.
- H Sub for S 191 Appropriations; department of agriculture; laboratory testing.

Aging and Long-term Care

- H 2046 Creation of the health care for seniors fund.
- H 2047 Enacting the geriatric mental health act.
- H 2108 Transfer of the adult protective services program from the department of Social Rehabilitation Services to the attorney general.
- H 2110 Aged persons; establishing the long-term care ombudsman committee.
- H 2145 Concerning orders for relief of abuse.
- H 2148 Increasing the certification requirements for continuing care retirement facilities.
- H 2296 Establishing the joint committee on oversight of the closure of the Kansas neurological institute.
- H 2315 Relating to the licensure of home health agencies, home nursing agencies and home services agencies.
- H 2471 Regarding the board of adult care home administrators.
- H 2524 Continuing care contracts and providers.
- H 2583 Relating to offender registrant admittance to or residence within an adult care home.
- H 2619 Relating to the licensure of adult care homes.
- H 2656 Relating to the transfer of adult protective services from the department of social and rehabilitative services to the office of attorney general.
- H 2697 Relating to collateral assignment of the proceeds of life insurance policies.
- H 2738 Relating to fingerprinting and criminal history record check of nursing program applicants.

Appropriations

- H 2025 Concerning the regulation of motor carriers; exemptions of certain carriers.
- H 2053 School districts; uniform financial accounting and reporting act.
- H 2121 Relating to the cooroner's permit to cremate.
- H 2166 Cities; Use of internet as official publication of required notices.
- H 2193 School districts; amendment to definition of at-risk pupil.
- H 2198 School districts; capital improvements fund; limitation on state aid entitlement.
- H 2237 Fire marshal; investigating authority.
- H 2341 Requiring certain beverage containers to be redeemable.
- H 2356 Increasing earnings limitation for employment after retirement by a KPERS retirant with certain KPERS participating employers.
- H 2357 Arkansas River Gaging Fund
- H 2358 Decreasing sales tax rate and earned income tax credit and food sales tax refund amounts.
- H 2359 Adding the department of corrections to statutes regarding payment of health care expenses for people in custody.
- H 2360 School districts; uniform chart of accounts.
- H 2362 Appropriations for waivers for fiscal year 2012, 2013 and 2014.

- H 2363 Gubernatorial inauguration donations; disposition of residual monies.
- H 2364 Relating to voter identification.
- H 2368 Concerning appropriations; deleting the 20% credit to the state general fund.
- H 2369 Implementation of state fire marshal orders by a board of education.
- H 2370 Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management.
- H 2374 Appropriations for FY 2011 and FY 2012 for department of education.
- H 2375 Creating acts providing for school accountability and parental choice.
- H 2376 Amending provisions of the Kansas uniform securities act relating to adoption of federal statutes and rules by reference; registration requirements; fees; securities act fee fund and investor education fund.
- H 2380 Veterans benefit lottery game, disposition of net profits, national guard benefit lottery game fund and veterans benefit lottery game fund established.
- H 2382 Appropriations for FY2011, FY2012 & FY2013 for capital improvements for various state agencies.
- H 2383 Appropriations for FY 2011 through FY 2016 for various state agencies.
- H 2388 Authorizing the Kansas development finance authority to issue mortgage revenue bonds.
- H 2390 KAN-ED act; repeal.
- H 2393 State employees; abolishing longevity bonus.
- H 2394 Courts; court of appeals.
- H 2395 School districts; the expenditure of moneys in school district funds for general education purposes.
- H 2396 Abolishing the commission on judicial performance.
- H 2397 Adequacy of state provision for finance of educational interests of the state.
- H 2398 Amending the definition of feral swine and increasing the penalty for importing, transporting, possessing or releasing feral swine.
- H 2399 Relating to the amount of money the state public trust may pay for real property within the Treece community in Cherokee county.
- H 2400 School districts; amendment to definition of at-risk pupil.
- H 2402 For fiscal years 2012, 2013, 2014 and 2015, five centers of excellence and three centers of innovation receive \$2,000,000 from the increase in the tax base from bioscience development and investment.
- H 2405 Converting classified attorneys in KDHE and SRS into unclassified attorneys.
- H 2408 Transferring the agrotourism program from the department of commerce to the department of agriculture.
- H 2409 Bonds relating to national bio and agro defense facility
- H 2410 Racing and Gaming Commission; meeting and compensation of members.
- H 2449 Establishing the Kansas equine education and promotion board.
- H 2474 Alcoholic liquor; class A private clubs; veterans' organizations.
- H 2493 Supplemental appropriations for FY 2012 and FY 2013 for various state agencies.
- H 2553 Tort claims act; attorney general representation; Nemaha-Brown watershed district.
- H 2572 Adjutant general; funding for disasters; creating the disaster reimbursement fund; insurance fees and premium taxes; KUSF.
- H 2574 Highway patrol; charging certain fees.
- H 2603 Kansas business workers and community partnership act; undocumented aliens.
- H 2620 Creating the excellence in career technical education act.
- H 2640 Longevity bonus payments for state employees.
- H 2708 Renewable energy resources.
- H 2709 Establishing the restitution value for unlawfully taken antlered whitetail deer.
- H 2710 Time of payment of property taxes for certain persons 65 years of age and older.
- H 2733 Legislative page compensation; remuneration of not less than \$3 value.
- H 2743 Abstractor's license fees.
- H 2745 Postsecondary educational institutions; reducing the exception percentage for qualified admissions;

- eliminating funding for remedial courses.
- H 2746 Court of appeals, delay 14th judge position to January 2014.
- H 2750 Oil and gas; responsibility for maintenance of a well.
- H 2754 Reporting of certain information regarding newly hired persons.
- H 2755 Allowing the Kansas fairgrounds foundation to construct a building on the state fairgrounds, using private moneys; requires state fair board approval.
- H 2756 Tax credit for person taking employment in a high unemployment rural opportunity zone.
- H 2758 Board of accountancy, special litigation reserve fund, expenditures, transfers from fee fund.
- H 2760 Appropriations for FY2012, FY 2013, and FY2014 for various state agencies.
- H 2761 Updating references and corresponding changes relating to Executive Reorganization Order No. 40 and the Kansas department of agriculture.
- H 2762 Three-year phase in of cost-of-living adjustment for certain retired members of KPERS.
- H 2766 Creating the creative industries commission; abolishing the art commission and the film commission.
- H 2768 Appropriations for FY2012, FY2013 & FY2014 for capital improvements for various state agencies.
- Sub H 2768 Appropriations for FY 2012, FY 2013, FY 2014, and FY 2015 for various state agencies; capital improvement projects; claims against the state.
- H 2770 Securities commissioner; litigation and restitution funds created, appointment of professional staff.
- H 2774 Alcoholic liquor; class A private clubs; veteran's organizations.
- H 2777 Authorizing the payment for paraprofessional services by school districts to the state school for the deaf and the state school for the blind.
- H 2781 Task force on obesity prevention and management.
- H 2784 Repealing certain motor fees and surcharges; VIPS/CAMA technology hardware fee, division of vehicles modernization surcharge; driver's license photo fee.
- H 2785 Kansas Bioscience authority; term limit, affiliation with KPERS and conflict of interest.
- H 2786 Moratorium on employer contributions to KPERS death and disability plan during fourth quarter of fiscal year 2012.
- H 2789 Creating the joint committee on KanCare oversight.
- H 2790 Allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes.
- H 2791 Elections; delay of primary election and candidate filing deadline and related procedures.
- H 2792 Reconciling amendments to certain statutes and making certain technical changes related thereto.
- H 2793 Kansas credit services organization; exemptions for attorney's and such attorney's law firm.
- H 2794 Redistricting; House districts.
- H 2795 Redistricting; Senate districts.
- H 2796 Redistricting; State board of education member districts.
- H 2797 Kansas restraint of trade act; rule of reason; class actions.
- HCR 5019 Requesting a study and recommendations by the state board of education on an administrative reorganization of school districts.
- H Sub for
 Sub S 39 State surplus real estate, proceeds 20% to agency and 80% to the KPERS unfunded liability; allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes.
- H Sub for S 40 Kansas bioscience authority; term limits, affiliation with KPERS and conflicts of interest.
- H Sub for S 294 Appropriations for FY 2012, FY 2013, FY 2014, FY 2015, and FY 2016 for various state agencies; capital improvement projects; claims against the state.
- H Sub for S 311 Board of nursing; relating to assistant attorneys general.
- H Sub for S 425 Court of appeals; 14th judge position.
- H Sub for S 434 State surplus real estate, proceeds 20% to agency and 80% to the KPERS unfunded liability; allowing DOC to sell real estate by the Hutchinson correctional facility in Reno County to Reno County for law enforcement purposes; allowing DOC to purchase real estate, and improvements thereon, in Ellsworth County for a minimum security correctional facility.

Calendar and Printing

H Sub for S 118 Legislative page compensation; remuneration of not less than \$3 value.

Children and Families

- H 2103 Child in need of care; termination of parents rights.
- H 2111 Family day care homes; amending statutes to make the 2009 statutes the current law regarding family day care homes.
- H 2137 Enacting the protective parent reform act.
- H 2142 Children in need of care; court's authority.
- H 2216 Insurance; coverage for autism spectrum disorder.
- H 2222 Labor organizations; persons prohibited from unionizing.
- H 2281 Appropriations for autism waiver for fiscal year 2012.
- H 2289 Appropriations for waivers for fiscal year 2012.
- H 2444 Grades K-12; use of seclusion and restraint of students with disabilities; reporting thereof.
- H 2475 Increasing funding for the home and community based services MR/DD waiver program.
- H 2536 Revised Kansas Code for care of children; grandparent's rights; legislative access.
- H 2537 Children in need of care, access to records by house committee on children and families.
- H 2538 Children in need of care; reimbursement of cost of care for a child in a grandparent's custody.
- H 2539 Children and minors; relating to grandparent custody, visitation and residency.
- H 2540 Children in need of care; runaways.
- H 2541 Employee leave for the employee's child's school related educational activities.
- H 2542 Citizen review boards; powers and duties; appointment of members.
- H 2543 School districts; autism scholarships.
- H 2658 Children in need of care; placement in a secure facility; segregation from general population.

Commerce and Economic Development

- H 2088 Municipalities; sprinkler systems, residential housing; changes.
- H 2130 Labor organizations; political activity.
- H 2131 Misclassification of employees.
- H 2150 Consumer protection; relating to automatic renewals.
- H 2223 The Kansas immigration accountability act.
- H 2229 Schools; equal access by employee associations and organizations.
- H 2235 Vehicle title loans; regulations.
- H 2244 Continuing education for plumbing, electrical and mechanical licensees.
- H 2256 Contracts with small minority businesses.
- H 2330 Enacting the cannabis compassion and care act.
- H 2450 Enacting the Kansas small, minority and woman-owned business development act.
- H 2463 Requiring employment of Kansas workers for certain state contracts and tax benefits.
- H 2510 Prison-made goods act; prohibition against production of manufactured or modular homes.
- H 2515 Competitive Bid Protection Act.
- H 2531 Workers compensation and employment security boards nominating committee.
- H 2558 Workers compensation; State workers compensation self insurance fund, State workplace health and safety program, time limitation on filing.
- H 2581 Wage deductions; prohibiting deductions for political contributions.
- H 2582 Securities commissioner; litigation and restitution funds created, appointment of professional staff.
- H 2592 Public policy; certain city ordinances and county resolutions declared void.
- H 2627 Certain deductions from wages authorized.
- H 2637 Workers compensation insurance; multiple coordinate policies.
- H 2638 Employment security law; eligibility for certain benefits, abolish Employment Security Advisory Council, notice requirements.
- H 2666 Cities; experience requirements for plumbers, electricians and certain mechanical contractors.

H Sub for S 416 Secretary of Labor, employment security law; workplace safety program, employment standards, labor and wage dispute.

Corrections and Juvenile Justice

- H 2022 Allowing venue to be transferred back to the jurisdiction where the crime occurred when a defendant is to be conditionally released.
- H 2045 Amending the definitions and penalties for eavesdropping and blackmail.
- H 2055 Eliminating certain information sharing requirements for district and county attorneys.
- Sub H 2055 Amending reporting requirements of the district attorney to the secretary of corrections.
- H 2098 Making methamphetamine precursors schedule III prescription drugs.
- H 2138 Expanding crime of burglary to include entering to commit certain domestic crimes.
- H 2152 Amending the provisions of the crime of operating a vessel under the influence.
- Sub H 2188 Requiring fiscal notes for certain resolutions.
- H 2196 Amending the rules of evidence regarding expert testimony in sexually violent predator commitment cases.
- H 2197 Amending the circumstances under which public defenders may accept new clients.
- H 2213 Providing possible exemptions from lifetime postrelease supervision for persons convicted of sexually violent crimes.
- H 2232 Amending the culpability for the unlawful possession of prescription drugs.
- Sub H 2232 Amending the crime of possession of prescription-only drugs.
- H 2249 Adding chemical compounds known as "bath salts" to the controlled substances schedule.
- H 2250 Amending the drug code to include penalties based on amount.
- H 2318 Amendments to the recodified criminal controlled substances provisions.
- Sub H 2318 Amendments to the recodified criminal controlled substances provisions and the drug sentencing grid.
- H 2319 Authorizing house arrest for certain misdemeanors and nongrid felonies and updating definitions.
- H 2321 Amendments to the recodified criminal code.
- H 2322 Amendments to the Kansas offender registration act.
- H 2323 Abolishing the death penalty; creating the crime of aggravated murder.
- H 2324 Making it unlawful to furnish electronic cigarettes to people under 18 years of age.
- H 2325 Eliminating postrelease supervision periods equal to good time credit earned.
- H 2326 Authorizing the use of a standardized offender assessment test to determine the placement of offenders.
- H 2327 Allowing veterans with PTSD to seek mental health treatment upon certain convictions.
- H 2329 Allowing the Kansas bureau of investigation to access expunged records under certain circumstances.
- H 2334 Creating new procedures to determine a defendant's competency to stand trial.
- Sub H 2427 Amending the open records act to exclude personal information concerning law enforcement officers.
- H 2440 Creating the crime of failure to report the disappearance of a child.
- H 2467 Creating the crimes of unlawful dissemination and possession of a depiction of a minor.
- H 2468 Requiring defense attorneys to produce reports and allow inspection prior to criminal trial.
- H 2469 Requiring payment of BIDS fees for parole revocation proceedings.
- H 2470 Amending provisions concerning sales of certain scrap metal.
- H 2488 Allowing insurance premium increases as restitution to crime victims.
- H 2494 Statute of limitations for sexually violent offenses when victim is a child.
- H 2495 Increasing the maximum allowable vessel registration fee charged by the department of wildlife, parks and tourism.
- H 2496 Applying the Kansas law enforcement training act to investigators of the juvenile justice authority and department of corrections.
- H 2497 Amending procedures concerning a defendant's competency to stand trial.
- H 2498 Creating a mental health diversion option for county and district attorneys.

- H 2506 Issuance of motorized bicycle licenses to habitual violators.
- H 2535 Amending statutes affected by 2011 ERO 34 transferring the Kansas parole board to the prisoner review board.
- H 2567 Expanding crime of aggravated endangering a child.
- H 2568 Amendments to the Kansas offender registration act.
- H 2600 Amending the medical information confidentiality exception as pertaining to detention of a mental health patient.
- H 2601 Criminalizing refusal to provide certain information to law enforcement upon demand.
- H 2602 Establishing the Kansas criminal alien rapid repatriation act.
- H 2613 Allowing for extension of protective orders under certain circumstances.
- H 2632 Relating to law enforcement reporting and investigation of missing person reports.
- H 2636 Including sexual orientation and gender identity as factors concerning the denial of civil rights.
- H 2653 Requiring the compilation of law enforcement statistics for the purpose of identifying and eliminating racial profiling.
- H 2707 Requiring judicial review of release of mentally incompetent defendants.
- H 2736 Amending requirements of stalking petitions for defendants under the age of 14.
- H 2737 Allowing for consecutive commitment to a juvenile correctional facility under certain circumstances.
- HCR 5032 Recognizing and promoting the Crisis Intervention Team program.
- H Sub for S 46 Human trafficking; crimes of commercial sexual exploitation of a child, selling sexual relations, promoting the sale of sexual relations and buying sexual relations.
- H Sub for S 60 Crimes, criminal punishment and procedure; relating to grand juries, relating to appeals; relating to community corrections.
- H Sub for S 104 Driving under the influence; creating the crime of test refusal; motorized bicycle licenses.
- H Sub for
 - Sub S 159 Searches of persons on probation, parolees and persons on postrelease supervision.
- H Sub for S 176 Concerning criminal procedure; relating to conditions of release and bond; relating to house arrest; relating to employment of county and municipal prisoners.
- H Sub for S 325 Distribution of controlled substances to health care providers, mammogram reporting and notice requirements.

Education

- H 2079 Authorizing transportation of students residing on Fort Leavenworth military reservation.
- H 2090 Providing bus transportation for school children subjected to hazardous walking conditions.
- H 2100 School districts; finance; supplemental general state aid; consolidated districts.
- Sub H 2193 Concerning school districts; relating to school finance; authorizing tax levy, procedure and limitations; local activities budget.
- H 2200 Concerning school districts; relating to state aid for capital improvements and capital outlay.
- H 2201 Providing authority for a school district to adopt a local activities budget.
- H 2202 Nontraditional teacher licensure program.
- H 2203 Allowing expenditures for general operating expenses from certain school district funds.
- H 2234 Creating the early high school graduation scholarship program.
- H 2245 Retaining students from grade-level promotion if not proficient on the reading state assessment for grade 3.
- H 2251 Terminating state aid for out-of-state pupils.
- H 2269 School districts; finance; amendments to funding formula.
- H 2270 Funding costs of nonproficient pupils not covered by general state aid from local funds.
- H 2286 School districts; finance; supplemental general state aid for certain districts.
- H 2290 Distribution of mineral severance tax revenue to school districts.
- H 2301 Closure of the school for the deaf and the school for the blind.
- H 2302 Charter schools; appeal of charter school denials to the state board of education; finance.
- H 2476 Prohibiting the carrying of concealed handguns on school grounds.
- H 2477 Compulsory school attendance law; requiring alternative learning plan.

- Sub H 2477 Compulsory school attendance law; defining educational alternatives.
- H 2566 Capital improvements state aid; limitation on the calculation thereof.
- H 2615 Kansas academy of mathematics and science program; expansion thereof.
- H 2634 Excellence in education; teacher certification; school employee performance and evaluation; professional development.
- Sub H 2634 School employee performance and evaluation; professional development.
- H 2645 Personal financial literacy program as a requirement for high school graduation.
- H 2713 Providing pupils with access to precollege curriculum courses through virtual schools.
- H 2718 Providing authority for a school district to adopt a local activities budget.
- HCR 5010 School finance; equitable distribution of public school funds in the amount and manner determined by the legislature.
- HCR 5018 Constitutional amendment to abolish state board of education and create secretary of education.

Education Budget

- H 2204 Creating the college credit scholarship program.
- H 2248 Requiring school districts to finance cost of remedial college courses.
- H 2734 Compliance to the compulsory school attendance law for certain schools.
- H Sub for S 28 Adequacy of state provision for finance of educational interests of the state.

Elections

- H 2128 Restricting candidate appearances in public service announcements or advertisements prior to an election.
- H 2153 Campaign finance; reporting requirements for electioneering communications.
- H 2154 Prohibition outside employment of certain state officials
- H 2155 Elections; restrictions on the use of public service announcements
- H 2224 Requiring candidates for state and federal offices to provide proof of citizenship.
- H 2308 Filing of reports by campaign treasurer.
- H 2309 Allowing the transfer of campaign funds to a bona fide successor committee or candidacy.
- H 2437 Relating to voting; proof of United States citizenship.
- H 2438 County Treasurers; starting date, term of office.
- H 2714 Recall of elected officials.
- H 2715 Relating to extension and drainage districts.
- H 2720 Elections; use of tribal identification card as proof of citizenship.
- H 2721 Elections; development of a voter education program by the Secretary of State.
- H 2722 Elections; relating to the education of election workers.
- H 2739 Relating to certain municipality elections.
- Sub H 2782 Elections; qualifications to run for public office in Kansas.
- HCR 5008 State constitutional amendment relating to the reapportionment of senatorial and representative districts.
- H Sub for S 17 Relating to voter identification requirements.
- H Sub for S 129 Elections; voter photographic identification requirements; election date changes; voter registration records.
- H Sub for S 145 Elections; petition circulators; qualifications changed.

Energy and Utilities

- H 2050 Concerning utilities; establishing the broadband deployment assistance program.
- H 2097 Agricultural ethyl alcohol incentive; extension.
- H 2141 Concerning property; requiring wind and solar agreements to run with surface estate.
- H 2143 Electric generation, transmission and distribution; relating to recovery of costs for energy storage devices.
- H 2144 Natural gas public utilities; rates and charges.
- H 2164 Concerning property; relating to ownership of pore space.

- H 2181 Utilities; transmission lines and easements.
- H 2267 Utilities; electric supply and demand reports.
- H 2303 Utilities; rate-making and variable time-of-day pricing.
- H 2445 Cost recovery for energy storage devices.
- H 2446 Renewable energy standards act and energy storage.
- H 2455 Creating the electricity highway fee for electric vehicle recharge stations.
- Sub H 2455 Motor fuel tax; long-term feasibility study.
- H 2456 Prohibiting default proxy appointment to board.
- H 2472 Rural water districts; definitions.
- H 2489 Deregulation of natural gas public utilities cooperatives.
- H 2512 Natural gas public utilities and interim rates.
- H 2526 Oil and gas; regulation of hydraulic fracturing.
- H 2527 Kan-ed act; authorizing user fees.
- H 2528 Establishing grant programs for stream bank stabilization and multi-purpose small lakes.
- H 2588 Water districts and the issuance of revenue bonds.
- H 2624 Procedure for distribution of oil and gas valuation depletion trust fund moneys.
- H 2642 Oil and gas; application of intent to drill.
- H 2661 Municipally-owned utilities and rates.
- H 2663 Creating the efficiency Kansas loan program.
- H 2685 Allowing eligible water right holders to create reservoir improvement districts.
- H 2711 Counties, cost of plugging oil and gas wells.
- H 2719 Oil and gas; horizontal drilling.
- HCR 5005 Establishing targets for energy development, consumption and costs.
- HCR 5012 Establishing policy goals for energy development, consumption and costs.
- HCR 5023 Urging Congress to permit the Kansas Corporation Commission to regulate hydraulic fracturing.
- HR 6018 Opposing United Nations Agenda 21.

Federal and State Affairs

- H 2026 Kansas immigration accountability act.
- H 2089 Concerning hunting; relating to hunting dogs; permitting owners to retrieve their dogs from posted land.
- H 2106 Concerning trespass and liability; exceptions.
- H 2107 Community defense act; sexually oriented businesses regulations.
- H 2127 Municipalities; demand coordination by federal government and state government; regulations, policies
- Sub H 2178 Granting professional licenses to nonresident military spouses.
- Sub H 2229 Teachers; professional employees association; equal access act.
- Sub H 2242 Vital Statistics; concerning death and unborn child death certificates.
- H 2300 Legislature; job protection for persons elected or appointed to the state legislature.
- H 2335 Kansas act against discrimination; disability amendments.
- H 2337 Licensing of abortion clinics by department of health and environment.
- H 2340 Smoking ban; allow smoking in bars that sell lottery tickets.
- H 2343 Relating to custody for adoption.
- H 2344 Relating to permanency planning.
- H 2345 Notification of parties of a temporary hearing.
- H 2346 Creating the classification of "aggravated sex offender;" creating additional penalties and restrictions for sex offenders.
- H 2353 Personal and family protection act; amendments.
- H 2354 State owned and operated casinos; north central Kansas gaming zone, Geary County.
- H 2371 Amending the provisions of community corrections grants and continuing such programs in certain counties.
- H 2372 Requiring verification of employment eligibility and making other amendments concerning

- immigration.
- H 2373 Combining life insurance with certain other riders such as for specific illness or disease coverage.
- H 2377 Creating the no taxpayer funding for abortion act; amending laws relating to late-term abortion.
- H 2384 Kansas preservation of religious freedom act.
- H 2385 Creating the relevant efficient academic learning education act.
- H 2386 Veterinary school students; spaying or neutering dogs and cats; animal shelters.
- H 2387 Alcoholic beverages; amendments regarding retailer's licenses; fees, term and eligibility.
- H 2389 Child abuse investigations; procedures.
- H 2453 Commission on disability concerns; changes.
- H 2491 Lawfully possessed handguns permitted while hunting, fishing and furharvesting.
- H 2492 E-verify program; use of by business and governmental entities.
- H 2521 Imposition of civil penalties for alcohol and tobacco violations.
- H 2522 Repeal of law which grants residency for tuition purposes for certain aliens not lawfully present in the United States.
- H 2523 Health care providers, facilities, persons; right to refuse to participate in abortion procedures; changes.
- H 2532 Creating classes of licenses to sell alcoholic beverages at retail; fees, term and eligibility.
- H 2550 Alcoholic beverages; prohibition against reduced price of drinks during certain times of day deleted.
- H 2575 Kansas immigration accountability act; state agencies; state contractors.
- H 2576 Immigration; unlawful concealing, harboring or shielding an alien; public benefits, proof of citizenship; failure to carry documentation, enforcement; vital records identity fraud; dealing in false identification documents; penalties; charged with a crime verification of citizenship.
- H 2577 Enrollment and participation in an e-verify program by business and governmental entities; penalties.
- H 2578 Immigration; enforcement of federal immigration laws; determination of citizenship; notification; exchange of information; indemnification; implementation; cooperative agreements.
- H 2579 Legislative declaration that life begins at conception.
- H 2584 Knives; restriction on regulations; weapons crimes amended
- H 2598 Creating the no taxpayer funding for abortion act; amending statutes concerning late-term abortion restrictions.
- H 2623 Kansas state high school activities association; board of directors; executive board.
- H 2625 Farm winery licenses; delete requirement products be grown in Kansas; other changes.
- H 2651 Liquor licenses; railway cars.
- Sub H 2689 Liquor licenses; railway cars.
- H 2748 Discharging a firearm inside or into a city; crime; exceptions.
- H 2749 Regulations on school buses.
- H 2751 Limitations on grants of use of land and water for recreational purposes.
- H 2752 Requiring candidates for public office to show proof of citizenship; president and vice president candidates; proof of natural born citizenship; other.
- H 2759 Microbrewery licenses; residency requirements deleted.
- H 2764 Insurance; coverage for autism spectrum disorder.
- H 2765 Information submitted to department of labor for state directory of new hires.
- H 2771 Relating to appeals; trials; violations of the uniform act regulating traffic on highways.
- H 2775 Lottery, gaming, parimutuel winnings, debt set off; child support.
- H 2776 State fire marshal; prohibit adoption of certain fire codes.
- H 2778 City annexation of fire district land; double taxation; refund.
- H 2779 Human trafficking; crimes of commercial sexual exploitation of a child, selling sexual relations, promoting the sale of sexual relations and buying sexual relations.
- H 2780 Relating to ballot language statements.
- H 2782 Elections; qualifications to run for public office in Kansas.
- H 2787 Enforcement of support orders; income withholding.
- H 2788 Prohibition on use of state appropriated moneys to lobby at state and local government level.

- HCR 5013 Constitutional amendment to provide revenue, expenditure and taxation limitations on state government.
- HR 6026 A resolution urging the Kansas department of health and environment to study tobacco harm reduction.
- HR 6032 Resolution opposing and exposing the radical nature of United Nations Agenda 21.
- H Sub for S 25 Community defense act; sexually oriented businesses regulations.
- H Sub for S 34 Amending statutes regulating late-term and partial birth abortion.
- H Sub for S 35 Abortion regulation based on capacity of unborn child to feel pain.
- H Sub for S 45 Abortion; late-term, partial birth, fetal pain; abortion facility licensure; other.
- H Sub for S 275 Establishing a drug screening program for cash assistance recipients.
- H Sub for S 313 Creates the no taxpayer funding for abortion act; amending various abortion statutes.

Financial Institutions

- H 2226 Tax increment financing; allowing the financing of infrastructure if contiguous to TIF district; allowing cities to commit a portion of their sales tax for TIF.
- H 2505 Limitation on loans and borrowing; derivative transactions.
- H 2593 Interstate banking and commission approval.
- H Sub for S 287 State officials who regulate financial institutions; power and duties.
- H Sub for S 315 Concerning the state bank commissioner, powers.

Government Efficiency

- H 2120 Kansas government effectiveness and efficiency commission act.
- H 2157 Concerning the disclosure of tax information to the state treasurer for the purpose of locating unclaimed property owners.
- H 2158 State agencies; performance measures.
- H 2221 Relating to the employee award program.
- Sub H 2221 Relating to the employee award program.
- H 2268 Collection of fees, charges, taxes and exactions by state agencies.
- H 2306 Relating to the requirements for purchase of motor vehicles by state agencies.
- H 2596 Repeal of 2011 Supp. 74-509 concerning the duties of the irrigation commission.
- H 2597 Repealing K.S.A. 2-1426 and K.S.A. 2011Supp. 2-1424a and 2-1425 concerning agricultural seeds; relating to a seed laboratory, seed testing, seed examination fee fund and publication of reports of inspectors exams.
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